



## COMMUNITY INVOLVEMENT PLAN

**June 10, 2006 (FINAL)**

*Revised, September 18, 2006;  
Revised, February 6, 2008*

## TABLE OF CONTENTS

<b>1.0</b>	<b>Introduction and Plan Goals .....</b>	<b>1</b>
<b>1.1</b>	<b><i>Document Organization .....</i></b>	<b>2</b>
<b>2.0</b>	<b>Property Location and Setting .....</b>	<b>3</b>
<b>3.0</b>	<b>Property Description History .....</b>	<b>5</b>
<b>4.0</b>	<b>Remediation Objectives and Goals .....</b>	<b>7</b>
<b>5.0</b>	<b>Methodology and Scope of the Community Involvement Plan .....</b>	<b>8</b>
<b>6.0</b>	<b>Development Stages .....</b>	<b>9</b>
<b>6.1</b>	<b><i>Pre-Development Stage .....</i></b>	<b>9</b>
<b>6.2</b>	<b><i>Redevelopment Stage .....</i></b>	<b>9</b>
<b>6.3</b>	<b><i>Developed Stage .....</i></b>	<b>9</b>
<b>7.0</b>	<b>Responsibility for CIP Implementation .....</b>	<b>10</b>
<b>7.1</b>	<b><i>Pre-Development Stage .....</i></b>	<b>10</b>
<b>7.2</b>	<b><i>Redevelopment Stage .....</i></b>	<b>10</b>
<b>7.3</b>	<b><i>Developed Stage .....</i></b>	<b>10</b>
7.3.1	<b><i><u>Community Association Requirements .....</u></i></b>	<b>10</b>
7.3.2	<b><i><u>Land Transferred to Another Builder .....</u></i></b>	<b>11</b>
<b>7.4</b>	<b><i>Distribution of this Plan .....</i></b>	<b>11</b>
<b>7.5</b>	<b><i>NDEP Review/Approval of the CIP .....</i></b>	<b>11</b>
<b>7.6</b>	<b><i>Coordinating the CIP with Other Plans .....</i></b>	<b>11</b>
<b>7.7</b>	<b><i>Modification of the CIP .....</i></b>	<b>12</b>
<b>8.0</b>	<b>Statutory and Regulatory Aspects of Community Involvement .....</b>	<b>13</b>
<b>8.1</b>	<b><i>Regulatory Status .....</i></b>	<b>13</b>
8.1.1	<b><i><u>1996 Consent Agreement .....</u></i></b>	<b>13</b>
<b>9.0</b>	<b>Community and Stakeholders .....</b>	<b>15</b>
<b>10.0</b>	<b>Stewardship of the Property .....</b>	<b>20</b>
<b>10.1</b>	<b><i>Pre-Development Stage .....</i></b>	<b>20</b>
10.1.1	<b><i><u>Information Repository .....</u></i></b>	<b>20</b>

<b>10.1.1.1 Purpose</b>	20
<b>10.1.1.2 Location and Contents</b>	20
<b>10.1.1.3 Maintenance and Update</b>	21
10.1.2 <i>Website</i>	22
10.1.3 <i>Public Meetings</i>	23
10.1.4 <i>Restoration Advisory Committee</i>	23
10.1.5 <i>Access Requirements for Other Parties</i>	23
<b>10.1.5.1 NDEP Access</b>	23
<b>10.1.5.2 TRONOX Access</b>	24
<b>10.1.5.3 Basic Remediation/ Landwell Access</b>	24
10.1.6 <i>Site Security</i>	25
10.1.7 <i>Dust Control</i>	25
10.1.8 <i>Worker Protection Requirements</i>	25
10.1.9 <i>Public Information Kiosk</i>	26
10.1.10 <i>Community Meetings During Remedial Activities</i>	26
10.1.11 <i>Public Hearings</i>	26
<b>11.0 No Further Action Or Similar Letters Stage</b>	27
11.1.1 <i>Deed Recordation of the NFA or NFAD letter</i>	27
11.1.2 <i>Deed Recordation of Restrictions</i>	27
<b>11.2 Recordable Notice</b>	27
11.2.1 <i>Specific Deed Restrictions</i>	28
11.2.2 <i>Notifications To Buyers and Tenants Prior To Sale Closing or Rental</i>	28
11.2.3 <i>Informed Consent</i>	29
<b>11.2.3.1 At Time of Closing</b>	29
<b>11.2.3.2 Resale Closings</b>	29
11.3 <i>Health and Safety Plan</i>	30
<b>12.0 Public Involvement Plan</b>	31
12.1 <i>Key Points</i>	31
12.2 <i>Stakeholder Relations Tools</i>	32
12.3 <i>Media Liaison</i>	34
<b>13.0 Liaison Procedure</b>	35
<b>14.0 Timeline</b>	36
<b>15.0 References</b>	37

## **1.0 Introduction & Plan Goals**

Communities frequently grow around industrial properties. As these industrial sites age, the owners often vacate the sites, leaving pockets of unused land within the community. These vacant pockets offer valuable restoration and development opportunities to the community.

The local community's awareness and access to information is an important aspect of the redevelopment of industrial property, as it promotes the community's role as an essential stakeholder with the added benefit of facilitating ultimate acceptance of the redevelopment project.

This plan establishes several goals:

Goal 1: **Notification** This plan is designed to facilitate notification to the community of restoration and development plans and activities at the property presently owned by The LandWell Company, an affiliate of Basic Remediation Company ("BRC"), bounded by Lake Mead Parkway, Boulder Highway, and the Las Vegas Wash in the City of Henderson, Clark County, Nevada (the "Site").

Goal 2: **Cooperation** The parties intend to work cooperatively with the Nevada Division of Environmental Protection ("NDEP") in the remediation and restoration of the land on this Site and have agreed to redevelop the Site in compliance with all applicable laws and the applicable guidance documents cited herein, as may be directed by the NDEP.

Goal 3: **Access** This plan is designed to provide the community ongoing access to information to facilitate appropriate maintenance and use activities.

Goal 4: **Involvement** This plan is designed to facilitate community involvement in plans for the restoration of the Site and, after its restoration, a forum should any questions, complaints, disputes or claims arise regarding the historical uses or present property conditions or related effects of the Site.

Goal 5: **Compliance** This plan will comply with and shall specifically execute the requirements of §XXXIII of the 2006 Settlement Agreement and Administrative Order on Consent (AOC3) between the NDEP and BRC et al. Specifically, this section of the AOC3 calls for the preparation of a Public Involvement Plan which provides for:

- "the periodic development and distribution of fact sheets summarizing current and/or proposed activities";
- "the development of a mailing list for distribution of the fact sheets";
- "the establishment and ongoing support of an information and Document Repository at or near the Site with public access during business hours for

inspection and copying of such information and documents [pertinent to activities to be conducted pursuant the AOC3]"; and,

- the identification of "a community liaison ... with respect to activities to be conducted pursuant to the AOC3."

Chapter 12 of this Plan contains the Public Involvement Plan.

### ***1.1 Document Organization***

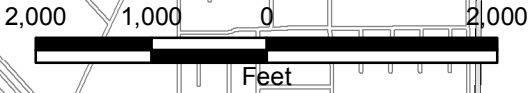
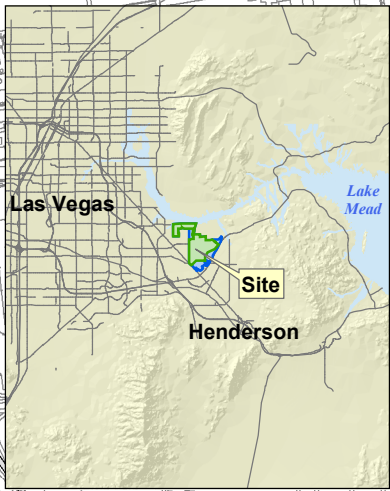
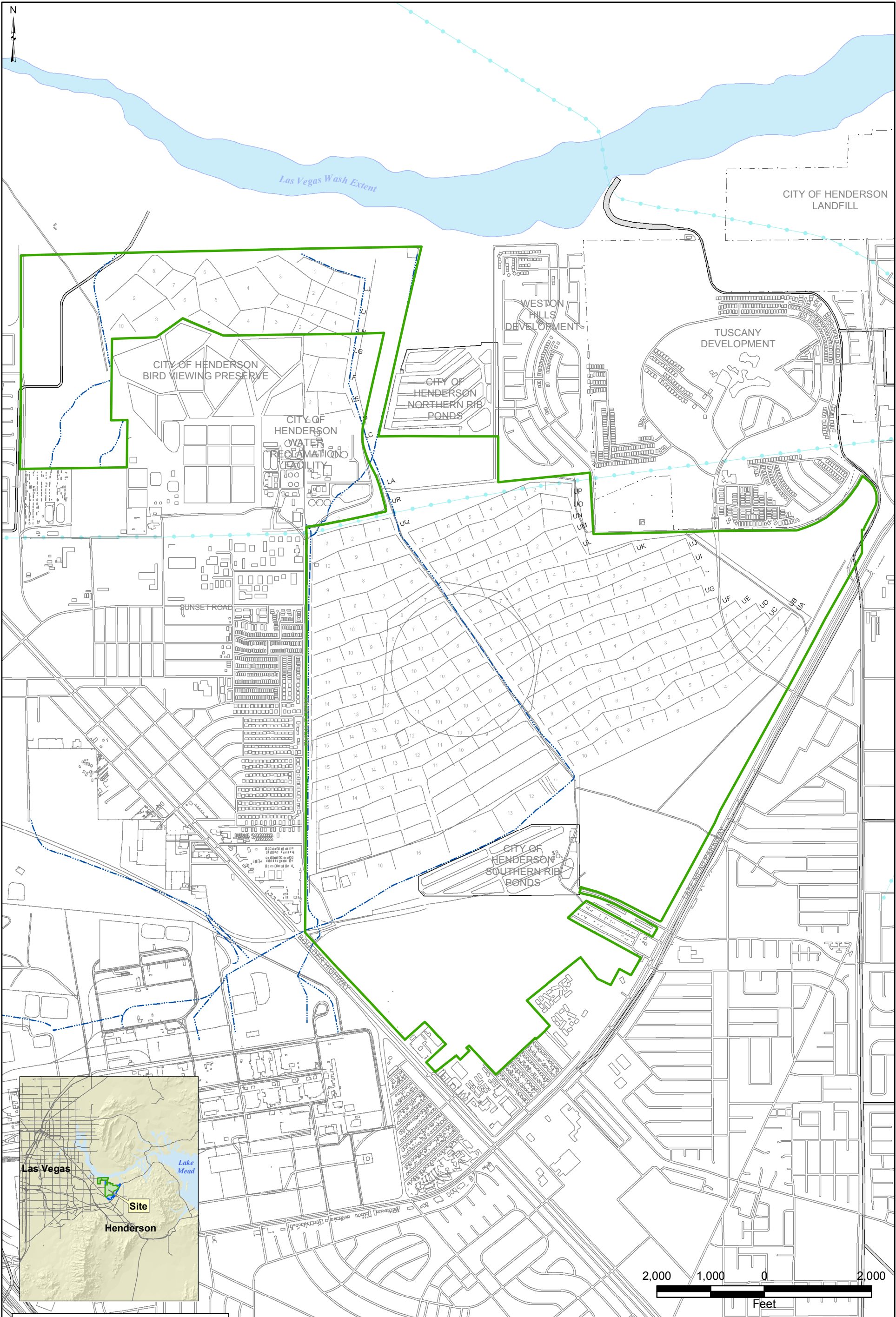
This document is designed to be a working document to be used throughout the redevelopment process and beyond. Chapters 2 and 3 include background information on the Property history, location and setting. Chapter 4 includes the remediation objectives and goals for the Redevelopment project. Chapter 5 identifies the purpose and scope of the Community Involvement Plan ("CIP") and its relationship to other plans that are currently in place and which relate to the Property. Chapter 6 defines the Project's three stages. Chapter 7 discusses the Community Association and maintenance of the CIP. Chapter 8 discusses the regulatory background, including both state and federal requirements and guidelines for community involvement plans. Chapter 9 discusses the community and identifies surrounding stakeholders. Chapter 10 proposes methods to ensure proper stewardship of the Property through the redevelopment phase and into the future. Chapter 11 discusses deed recordation and regulatory No Further Action or similar letters. Chapter 12 presents a Public Involvement Plan designed to facilitate communications between various stakeholders. This Plan is required per the AOC3. Chapter 13 sets forth a liaison provision to encourage on-going communication. Chapter 14 references the schedule for remediation, and Chapter 15 concludes the Plan with a list of references consulted in the preparation of the Plan. A map of the area is included at the end of Chapter 2.

## **2.0 Property Location and Setting**

At the time of its incorporation in 1953, the City of Henderson was 8.47 square miles in area. Since that time, Henderson has grown significantly and is currently more than 104 square miles in area. The Henderson Chamber of Commerce estimates that the current population is more than 267,000, and current projections indicate that the population is likely to exceed 515,000 by 2030. The City of Henderson Community Development Department in 2007 registered the total number of housing units in Henderson at 108,980, with 75,900 identified as single-family units. In 2007, the median household income was \$65,667, as compared to \$48,200 for the United States as a whole.

The property intended for redevelopment is east of Boulder Highway and north of Lake Mead Parkway, in proximity to the active and closed manufacturing plants generally known as the "BMI Industrial Complex," in Clark County, Nevada, approximately thirteen miles southeast of the City of Las Vegas. The BMI Industrial Complex consists of several operational plants along the north side of Lake Mead Drive, west of Boulder Highway. Historically, the BMI Industrial Complex plant operations utilized tracts of land outside the immediate area of the operating plants for the conveyance and/or disposal of operational effluent and cooling water by companies operating within the Industrial Complex; municipal wastewaters were also discharged onto these tracts by the City of Henderson. These tracts, together with various other contiguous parcels of land, form the property intended for redevelopment (the "Property"). A detailed and comprehensive discussion of the physical character, and operational history of the Property is provided in the Closure Work Plan submitted by Basic Remediation Company and approved by the NDEP in 2007 (hereinafter the "Closure Work Plan"). The property is also described in the *Phase I Environmental Conditions Assessment for the Basic Management, Inc., Industrial Complex - Clark County, Nevada* (Geraghty & Miller, April 1993; hereinafter "Phase I ECA Report"). The Property comprises approximately 2,200 acres. A map of the area is included in this Community Involvement Plan on the following page.


The property is considered an "in-fill site" from a real estate development perspective.



- Site Boundary
- Ditches
- Flood Conveyance Channels
- Laterals

BMI Common Areas  
Clark County, Nevada

FIGURE  
SITE MAP

  
Basic Remediation  
COMPANY

Prepared by:  
MKJ

Date  
02/05/08

JOB No. 0064276  
FILE: GIS/BRC/SITE\_FIGURE.MXD

### **3.0 Property Description and History**

In 1941, approximately 5,000 acres of empty desert in the southeastern quadrant of the Las Vegas Valley was deeded by the United States for use as the site of what was to become the world's largest magnesium plant, a plant which came to play a critical role in World War II. Since that time, parts of the original site have remained industrialized, parts of the site have been used for the disposal of a variety of industrial and municipal effluents, parts of the site have been abandoned, parts of the site have been converted to other uses, and some parts have remained virgin desert. The Property encompasses land that was used for the evaporation or disposal of effluents; land that was developed for such uses but never used; and land that has remained virgin desert.

Following cessation of magnesium production activities in 1944, agencies of the U.S. Government worked to attract industries to the site. Several industrial companies were attracted, and parts of the site have remained in industrial use to the present day.

In 1949, the State of Nevada, through the Colorado River Commission ("CRC") purchased the Basic Magnesium, Inc. facilities and associated real properties and took possession of the entire Industrial Complex from the U.S. Government. During its ownership of the Industrial Complex, CRC supplied basic utility services, including electricity and water, for lessees of the site.

Beginning in 1952, five principal companies at the BMI Industrial Complex purchased the facilities that they were leasing and operating. These corporations were Western Electro Chemical ("WECCO"), subsequently Kerr McGee Chemical LLC ("KMCC") and now TRONOX LLC; Stauffer Chemical Company ("Stauffer"), later Pioneer Chlor Alkali Company ("Pioneer") and now Olin Chlor Alkali Products ("Olin"); United States Lime Corporation ("U.S. Lime") and now Chemstar, Inc. ("Chemstar");, National Lead Company, now Titanium Metals Corporation ("TIMET"); and Combined Metals Reduction Company. Several other entities, including the United States Navy and Montrose Chemical Corporation of California ("Montrose"), have also conducted operations on portions of the BMI Industrial Complex.

The five principal operating companies established Basic Management, Inc. ("BMI"), in 1952 for the purpose of owning and providing utility and other services in common to companies operating within the Industrial Complex; these five companies were the only shareholders. After the five principal operating companies acquired the facilities they were using, CRC conveyed to BMI the remaining real and personal properties associated with the Industrial Complex, including water systems, power systems, sanitary sewers, transportation, housing, the evaporation ponds northeast of the BMI Industrial Complex (the "Upper and Lower Ponds"), and the BMI Landfill. Since that time, certain parcels of land have been sold to the individual companies operating at the BMI Industrial Complex. The housing formed the nucleus of what was later incorporated as the City of Henderson in 1953.

A detailed ownership and leasing history, and a history of the operations conducted at the BMI Industrial Complex, covering the period from 1941 through 2004 is



contained in the Closure Work Plan, which is on file at James I. Gibson Public Library, 280 S. Water Street, Henderson, Nevada, 89015, and is also posted on-line at [www.landwellco.com](http://www.landwellco.com).

On February 15, 2006, BRC and NDEP along with the other industrial companies finalized and executed the AOC3. This CIP, in particular Chapter 12, is prepared pursuant to requirements in Section XXXIII of the AOC3.

#### **4.0 Remediation Objectives and Goals**

As set forth fully in the AOC3, Basic Remediation Company's overall project goal is that conditions at the Site after restoration be such that residual chemical concentrations in Site soils are: (1) representative of background conditions, or (2) do not pose an unacceptable risk to human health and the environment under all anticipated future land uses—including residential use. Complete Site Closure may require additional investigations/remediation of other media such as groundwater. The AOC3 provides a process to guide these decisions in the future.

Although the redevelopment of the property will include a mix of residential, commercial, and light industrial uses, the residential land use clean-up standard is the goal for the entire Property, excepting only one sub-area (the "Trails and Recreation Sub-area"), where no residential development will occur. These areas, and other features of the Property, are identified in the Closure Plan and the Corrective Action Plan. All contaminated soils excavated as part of the remediation will be removed from the Site. There will be no interment or capping of the excavated contaminated soils on or within the Site.

## **5.0 Methodology and Scope of the Community Involvement Plan**

The following methodology shall be implemented to accomplish the Community Involvement Plan goals stated in Chapter 1.0:

- Ensure that adequate easements and access agreements are in place for as long as necessary to allow any remedial activities necessary;
- Establish criteria for deed recordation and restrictions, as may be necessary or appropriate to facilitate notification to future purchasers of the Property and appropriate use restrictions for the Property, if any;
- Establish a Document Repository for historic and current documents describing or otherwise pertinent to the conditions of the Property;
- Establish criteria for notification to the Community about the periodic status of the redevelopment activities;
- Establish criteria for informing prospective Property purchasers of the historic relevant Property conditions, remediation status and future development;
- Establish criteria to facilitate stewardship of the property into the future, consistent with this CIP;
- Establish an ongoing system to maintain and update the CIP as may, from time to time, be necessary or appropriate;
- Establish a Community Association whose responsibility will be to implement and maintain the CIP;
- Establish a liaison for addressing in the first instance any complaints, disputes or claims arising out of this CIP or in any way related to matters or activities covered, addressed or managed by this CIP.

## **6.0 Development Stages**

There are three stages to the development of the Site, and at each stage responsibility is assigned for managing the activities contemplated by this CIP. For purpose of demarcating these three stages, the term "Take Down" is used. "Take Down" means the conveyance of Property from Landwell to a third-party buyer or buyers (the "Buyer"). These three stages are:

### ***6.1 Pre-Development Stage***

This stage is defined as including that time up to the Take Down of each tract of the Property.

### ***6.2 Redevelopment Stage***

This stage is defined as being that time frame from moment of the Take Down of each tract of the Property to the point of first resale by the Buyer within each Take Down tract.

### ***6.3 Developed Stage***

This stage is defined as being that time frame from the point of first resale by the Buyer of the first Property within each Take Down tract forward.

## **7.0 Responsibility for CIP Implementation**

### **7.1 *Pre-Development Stage***

During the Pre-Development Stage of each tract, Basic Remediation Company (or its affiliate and assign) shall be responsible for implementing the CIP.

### **7.2 *Redevelopment Stage***

During the Redevelopment Stage of each tract, the Buyer shall be responsible for implementing the CIP.

### **7.3 *Developed Stage***

The Buyer shall establish a Community Association before closing the first resale if within the first take-down. The Buyer shall assure that the Community Association is adequately funded and prepared to assume responsibility for implementing the CIP. Upon establishing the Community Association, the Buyer shall assign to the Community Association and the Community Association shall accept full and complete responsibility for implementing this CIP for each take-down tract at the time of each take-down.

The Buyer shall be responsible for securing all governmental approvals necessary for such assignment and shall bear all costs related thereto.

The Buyer must assure that the Community Association has adequate funding and knowledge of and ability to implement the CIP prior to transferring any responsibilities thereunder to the Community Association.

#### **7.3.1 Community Association Requirements**

The formation of the Community Association shall be made pursuant to applicable Nevada law and shall require that a Community Involvement Committee be a permanent, standing committee of the Community Association. The Community Involvement Committee shall consist of five members. A Landwell employee or assignee shall serve as an ex-officio member of the Community Involvement Committee. The Community Involvement Committee will have day-to-day responsibilities for the CIP, subject to the final authority of the Community Association; provided, however, that the CIP and its implementation must at all times be consistent with all legal and regulatory requirements applicable to the Property, including all plans and deliverables submitted to any environmental agency with respect to any of the Property.

### ***7.3.2 Land Transferred to Another Builder***

In the event the Buyer decides to sell, convey, assign or otherwise transfer ownership of any of the land it has acquired within the Property, the Buyer must include a requirement in the contract with the purchaser requiring the purchaser to comply with the requirements of this CIP.

### ***7.4 Distribution of this Plan***

This CIP is intended to be a public document. Copies of the CIP will be made available at the Document Repository wherever established and shall be provided to any stakeholder requesting a copy.

A notice of the availability of the CIP at the Document Repository shall be provided to each Property owner or tenant on the closing of any Property sale or Property lease. The Community Association shall annually publish on one occasion each year notice of availability of the CIP in a newspaper of general circulation in the community.

### ***7.5 NDEP Review and/or Approval of the CIP***

In the event the NDEP considers this CIP to be a regulatory deliverable, the CIP shall be modified in accordance with NDEP's requirements.

### ***7.6 Coordinating the CIP with Other Plans***

The implementation and modification of the CIP must be coordinated with the existing plans for the Property and with any additional future plans, consent orders, or agreements that must be executed for the successful remediation of the Property. To date, several plans and orders apply and/or are pending to the remediation of a portion of the Property, including:

- The 2006 AOC3 pursuant to which all current Plans and documents are being prepared for NDEP approval;
- The Public Involvement Plan submitted to NDEP in 1999 as required by the previous 1996 Phase II Consent Agreement. This CIP supersedes that Plan;
- The revised Closure Plan, submitted by BRC and approved by the NDEP in 2007;
- The Corrective Action Plan (CAP), approved by NDEP in 2006;

- The Remedial Action Plan (RAP), approved by the NDEP in 2007.

### **7.7    *Modification of the CIP***

Modification of the CIP may be necessary due to changes in:

- Stakeholders and their concerns;
- Applicable legal and regulatory structure;
- Land use options due to field conditions;
- Land use after redevelopment is completed.

Responsibility for modification, including updating in conformance with new legal and regulatory requirements, will be allocated as set forth in Chapter 7.0. All modifications to the CIP shall be designed to ensure the project goals are accomplished. The CIP will be reviewed for modification annually during the Pre-Remediation Stage and periodically (likely annually) during the subsequent stages.

## **8.0 Statutory and Regulatory Aspects of Community Involvement**

### ***8.1 Regulatory Status***

Remedial activities at the Property are primarily driven by the federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act ("RCRA"), *see* 42 U.S.C. §§ 6901-6992k, the Nevada Hazardous Waste Disposal Law, *see* Nev. Rev. Stat. §§ 459.400-459.600, and the regulations promulgated thereunder, *see* 40 C.F.R. §§ 124, 260 through 266, 268, 270, 273 and 279; NEV. ADMIN. CODE chs. 444 and 459.

The Nevada Division of Environmental Protection has primary authority and responsibility for regulatory oversight.

Pursuant to these laws and regulations, a Phase III Settlement Agreement and Administrative Order on Consent (AOC3) was entered on February 15, 2006, between the Nevada Division of Environmental Protection ("NDEP") and Basic Management, Inc. (and its entities), TRONOX LLC, Montrose Chemical Corporation of California, Inc., Olin Chlor Alkali Company, Inc., Bayer Crop Science, and Titanium Metals Corporation ("Company" or "Companies") to promote remediation and proper closure of the so-called Common Areas of the BMI Complex.

#### **8.1.1 2006 AOC3**

Section XXXIII of the AOC3 between the NDEP and BRC et al. contains specific public participation requirements. First, all deliverables sent to the NDEP are to be available to the public. Second, the NDEP, at its discretion, might include notice or comment procedures associated with approval of future deliverables. Third, the Companies are required to create a Public Involvement Plan which provides for:

- "the periodic development and distribution of fact sheets summarizing current and/or proposed activities";
- "the development of a mailing list for distribution of the fact sheets";
- "the establishment and ongoing support of an information and Document Repository at or near the Site with public access during business hours for inspection and copying of such information and documents [pertinent to activities to be conducted pursuant the AOC3]"; and,
- the identification of "a community liaison ... with respect to activities to be conducted pursuant to the AOC3."



A draft Public Involvement Plan was provided to the NDEP in 1999, pursuant to the previous 1996 Consent Agreement. Chapter 12 of this CIP supersedes that Public Involvement Plan.

Section V of the AOC3 states the intention of the NDEP and BRC et al. that all closure activities be conducted consistent with the National Contingency Plan. This Community Involvement Plan complies with that intention. Additionally, NEV. ADMIN. CODE § 445A.22755 requires public hearings to be held regarding corrective actions that affect more than one site owner or operator.

## 9.0 Community and Stakeholders

The purpose of the public involvement activities is to inform the community and stakeholders about the status of the ongoing environmental remediation and restoration activities and development plans and to facilitate public involvement in the decision-making process regarding future activities at the site.

Through the public information and communications mechanisms defined in Chapter 12.0 titled “Public Involvement Plan,” the communications needs between and among the various stakeholders will be fulfilled.

The stakeholder list will be modified and expanded, as necessary, based on communications needs and stakeholder involvement as the project moves through the pre-development, redevelopment and developed stages. The following communities and stakeholders are listed below.

- **Near neighbors** and Henderson residents as shown in the attached Figure 1 (“1.5 Mile Neighbors Map”). All residents located within the 1.5 mile shaded area surrounding the site will be identified by using a data base service.
- **Restoration Advisory Committee** comprising representatives of local business, health care, educational, environmental and governmental groups.
- **Nearby industrial businesses:**
  - TIMET — 8000 West Lake Mead Drive, 89015
  - Olin Chlor-Alkali Products — 8000 West Lake Mead Drive, 89015
  - TRONOX LLC — 8000 West Lake Mead, 89015
  - Chemical Lime Company — 8000 West Lake Mead, 89015
- **Nearby master-planned communities:**
  - Lake Las Vegas Resort — 1600 Lake Las Vegas Pkwy, 89011
  - South Valley Ranch — 701 Aspen Peak Loop, 89015
  - Tuscany — 901 Olivia Parkway, 89015

Other master-planned communities in Henderson that included are: Weston Hills, Seven Hills, MacDonald Ranch, Green Valley Ranch, and Anthem.

- **City of Henderson Government**—The individuals occupying the following elected or appointed positions:
  - Mayor
  - Councilman, Ward III
  - Councilman, Ward IV
  - Councilman, Ward I

- Councilman, Ward II
  - City Manager
  - City Attorney
  - Building & Fire Safety Director
  - Chief Information Officer
  - Community Development Director
  - Convention Center/Visitor's Bureau Executive Director
  - Development Services Center Manager
  - Economic Development Manager
  - Finance Director
  - Fire Chief
  - Neighborhood Services Manager
  - Parks & Recreation Director
  - Police Chief
  - Property Management & Redevelopment
  - Public Works Director
  - Utility Services Director
- 
- **Southern Nevada City Government**— The individuals occupying the following elected positions:
    - Mayor, City of Las Vegas
    - Mayor, City of North Las Vegas
    - Mayor, Boulder City
- 
- **State of Nevada and Clark County**— The individuals occupying the following elected positions:
    - Governor, State of Nevada
    - United States Senators from the State of Nevada
    - Representative to the United States House of Representatives from Clark County, Nevada
    - Nevada State Senators from Clark County
    - State Representative to Nevada Assembly from Clark County
    - Speaker of the Nevada General Assembly
    - Clark County Commissioners

- **Business, Health Care, Utility, Educational, and Environmental Groups:**
  - Henderson Chamber of Commerce — 590 South Boulder Highway, Henderson, NV 89015
  - Las Vegas Chamber of Commerce — 2300 W. Sahara Ave. Suite 1110, Las Vegas, NV 89102
  - Community College of Southern Nevada — 700 College Drive, Henderson, NV 89052
  - University of Southern Nevada — 11 Sunset Way, Henderson, NV 89014
  - UNLV Environmental Studies — Bigelow Health Science Building, 4505 Maryland Parkway, Las Vegas, NV 89154
  - Clark County School District — 2832 East Flamingo Road, Las Vegas, NV 89121; and nearby schools: McCaw, Taylor, and Hinman Elementary Schools
  - Desert Research Institute — 7555 E. Flamingo Road, Las Vegas, NV 89119
  - Henderson Industrial Citizens Advisory Panel — 544 Fairway Road, Henderson, NV 89015
  - Sierra Club — 3135 Industrial, Las Vegas, NV 89109
  - St. Rose Dominican Hospital, Rose de Lima Campus — 102 E. Lake Mead Parkway, Henderson, NV 89015
  - Red Rock Audubon Society — 5909 Gipsy Avenue, Las Vegas, NV 89107
  - Southwest Gas Corporation — P.O. Box 98510, Las Vegas, NV 89193
  - Harry Reid Environmental Center — 4505 S. Maryland Parkway, Las Vegas, NV 89154
  - Nevada Power — 6226 West Sahara Avenue, Las Vegas, NV 89151
- **Governmental Agencies:**
  - Colorado River Commission — 555 East Washington, Suite 3100, Las Vegas, NV 89101
  - Nevada Division of Environmental Protection — 1771 E. Flamingo Rd., Suite 121-A, Las Vegas, NV 89119; and 901 S. Stewart, Suite 4001, Carson City, Nevada 89701
  - Nevada Development Authority — 3773 Howard Hughes Parkway, Las Vegas, NV 89109
  - Southern Nevada Water Authority — 1001 S. Valley View Blvd., Las Vegas, NV 89153
  - Regional Transportation Commission — 600 S. Grand Central Avenue, Las Vegas, NV 89106

Clark County Parks and Recreation — 2601 East Sunset, Las Vegas, NV 89120

U.S. Environmental Protection Agency — 2092 Heritage Oaks, Las Vegas, NV 89119

Mr. Mitch Kaplan, U.S. Environmental Protection Agency, Region 9, mail code: WST-5, 75 Hawthorne Street, San Francisco, CA 94105-3901

U.S. Dept. of Interior — Bureau of Land Management, 4765 Vegas Drive, Las Vegas, NV 89108

Mr. Rob Mrowka, Clark County Comprehensive Planning, PO Box 551741, Las Vegas, NV, 89155-1741

- **Media:**

Associated Press — 1111 W. Bonanza Road, Las Vegas, NV 89106

KVBC-TV, Channel 3 — 1500 Foremaster Lane, Las Vegas, NV 89116

KVVU-TV, Channel 5 — 25 TV-5 Drive, Henderson, NV 89014

KLAS-TV, Channel 8 — 3228 Channel 8 Drive, Las Vegas, NV 89109

KTNV-TV, Channel 13 — 3355 S. Valley View Blvd., Las Vegas, NV 89102

KBLR-TV, Channel 39 — 73 Spectrum, Las Vegas, NV 89101

Las Vegas One — 3228 Channel 8 Drive, Las Vegas, NV 89109

Univision — 500 Pilot Road, Las Vegas, NV 89119

WB, Channel 12 — 3830 S. Jones Blvd., Las Vegas, NV 89103

Las Vegas Review-Journal — 1111 Bonanza, Las Vegas, NV 89106

View Newspapers — 1111 W. Bonanza, Las Vegas, NV 89106

Las Vegas Sun/In Business — 2275 Corporate Circle Drive, Henderson, NV 89074

Business Press — 1385 Pama Lane, Las Vegas, NV 89119

Mercury — 1111 W. Bonanza, Las Vegas, NV 89106

Las Vegas Weekly — 2290 Corporate Circle, Henderson, NV 89074

CityLife — 1385 Pama Lane, Las Vegas, NV 89119

El Tiempo Libre — 1111 W. Bonanza, Las Vegas, NV 89106

El Mundo — 760 N. Eastern Ave., Las Vegas, NV 89101

Henderson Home News — 2300 Corporate Circle Drive, Henderson, NV 89074

Las Vegas Life — 2290 Corporate Circle, Henderson, NV 89074

KNPR Radio — 1289 S. Torrey Pines Drive, Las Vegas, NV 89146

KNUU-KNEWS 970 AM — 1455 E. Tropicana Ave., Las Vegas, NV  
89119

KXNT Radio — 6655 W. Sahara Ave., Las Vegas, NV 89146

- **Henderson area employers** with operations in the 89015 zip code, including the following large employers:
  - St. Rose Dominican Hospital
  - Siena Hospital
  - Ford Credit
  - Good Humor-Breyers Ice Cream
  - Levi Strauss & Company
  - Ethel M. Chocolates
  - Berry Plastics
  - Eldorado Hotel and Casino
  - Station Casinos (Green Valley Ranch Station and Sunset Station)
  - Ritz-Carlton Hotel
  - Ocean Spray Cranberries
  - Owens-Illinois Plastics Group
  - Interstate Bakeries Corp.
  - Providian Financial
  - Your Vitamins
  - Sunset Station
  - Loew's Hotel
  - Jokers Wild Casino

## **10.0 Stewardship of the Property**

One of the main goals of the CIP is to provide a system for stewardship of the Property as the various parcels pass through each stage (Pre-Development and Redevelopment, and Developed), and to allow coordination and communication between BMI, The Buyer, the NDEP, and the identified stakeholders. The CIP is designed to enhance and maintain institutional knowledge about the condition of the property at each stage, as well as to inform the public about the process of remediation and redevelopment. Because the stewardship requirements for each parcel will change as the remediation and development occur, this Chapter of the CIP has been organized with respect to the three stages.

### ***10.1 Pre-Development Stage***

#### **10.1.1 Document Repository**

##### **10.1.1.1 Purpose**

The purpose of an information Repository is to provide open and convenient access to accurate, detailed, historical and current data and documentation pertaining to the Property. Within the Document Repository (“Repository”), information can be accessed and researched regarding historical Property usage, Property conditions and the applicable laws pertaining to the remediation, and remediation and redevelopment plans and activities. The Repository includes information on how to participate in the remedial and redevelopment process.

##### **10.1.1.2 Location and Contents**

The Repository is located electronically at [www.landwellco.com](http://www.landwellco.com) and in hardcopy form at the BMI offices located at 875 West Warm Springs Rd., Henderson, NV 89011. Members of the public may visit the electronic Repository at any time. If it is desired, the hardcopy repository may also be visited by first calling the BRC Project Manager, Dr. Ranajit (Ron) Sahu at 702-683-5466 (cell) or (626) 382-0001 or (702)567-0400. Access is open. Please note that a significant change in conditions may require the physical construction of a document repository. An example would be a dramatic increase in requests for document review at the NDEP’s offices.

The Repository contains correspondence, reports, maps, photographs, and other documents related to all activities associated with the BMI Common areas. Documents available in the Repository include:

- Historical and background information about the site;
- Community Involvement Plan;

- Consent Agreements, Records of Decision, agreements, permits, and other correspondence with and from regulatory officials;
- Various Plans and Documents required pursuant to the 1991, 1996, and 2006 Consent Agreements;
- Remedial Action Plans;
- Closure Plans;
- Corrective Action Plans;
- Technical and scientific data derived from sampling at the site;
- Documentation of site sampling results;
- Maps of the site;
- Photographs of the site;
- Press releases, newspaper articles, and other publicity materials that pertain to the site;
- Notices of availability, meetings, public comment periods from local newspapers;
- Responses to comments;
- Summaries, minutes or transcripts of public meetings; and
- Development Master Plan Designs and Maps.

Additionally, NDEP is making its BMI Complex files available for review at its website and also at the NDEP Las Vegas and Carson City offices during normal business hours; an appointment is required to schedule access to these files.

#### **10.1.1.3 Maintenance and Update**

The document register in the Repository is to be updated, maintained, and organized regularly and periodically, and all documents will be cataloged. Under the terms of the 2006 AOC3, all documents will be maintained for the duration of the AOC and beyond (as specified in Section XXIX of the AOC3). The Repository is consistent with the requirements detailed in the NCP at 40 C.F.R. § 300.415(n)(3)(iii); 40 C.F.R. § 300.430(c)(2)(iii); 40 C.F.R. § 300.435(c)(2)(A); and is also consistent with 40 C.F.R. Part 300, Subpart I, related to the establishment of an administrative record. The Repository is also consistent with RCRA regulations related to information repositories at 40 C.F.R. § 124.33 and the following guidance documents:

- USEPA, OSWER, Superfund Community Involvement Toolkit, EPA 540-K-01-004 (Sept. 2002).



- USEPA, OSWER, Superfund Community Involvement Handbook, EPA 540-K-01-003 (Apr. 2002).
- USEPA, OSWER, RCRA Public Participation Manual, (1996).
- USEPA, OSWER, Making Superfund Documents Available to the Public Throughout the Cleanup Process, and Discussing Site Findings and Decisions as they are Developed, Directive No. 9230.0-16 (Nov. 5, 1990).

Once information is placed into the Repository, it cannot be deleted or removed from the Repository.

### **10.1.2 Website**

A website is established and will be maintained as one means of providing the benefits and information described elsewhere in this CIP and as the Repository. The website's URL is [www.landwellco.com](http://www.landwellco.com). Responsibility for maintaining and updating the website will fall to the party responsible for the CIP. In addition to all documents in the Repository, the information on the website shall include the following:

- A brief history of the Property;
- Fact Sheets summarizing current and prospective remediation and development activities;
- Document Repository table of contents;
- Contact numbers for Basic Remediation, Landwell, the Buyer, and the NDEP;
- The Community Information Line phone number, once established;
- Contact numbers for issues that may arise as the remediation of the Property proceeds;
- Restoration Advisory Committee (RAC) meeting agendas, minutes, and notices of upcoming RAC meetings;
- Notices of any other public hearings involving the Property
- A summary of the remediation plan: the study underlying the remediation, the goals of the remediation, how these goals will be accomplished, how long the remediation will take, and NDEP's oversight role;
- Information about the master plan of the property;
- Links to other relevant web sites the NDEP, the City of Henderson, Clark County, and U.S. EPA

### **10.1.3 Public Meetings**

Public meetings are informal assemblies whose purpose is to share information and discuss issues. They include conferences, informational sessions, seminars, workshops, or other similar activities. Public meetings are not intended to formulate decisions, rather they are tools to disseminate and receive information and opinions and to offer a medium to listen and respond to community concerns.

Public meetings will be held at intervals established by the entity charged with implementing the CIP, but no less than annually. The meetings will address the current progress of remedial activities and seek to solicit input from the community. Transcripts, minutes or notes of all public meetings will be kept on file at the Repository. At least two weeks prior to a scheduled public meeting, notice of the meeting shall be mailed (and/or e-mailed) to the stakeholders listed in Chapter 9 of this Plan, and posted on the website above..

### **10.1.4 Restoration Advisory Committee**

The Restoration Advisory Committee (“RAC”), established in 1999, is composed of local business representatives, community representatives, BRC, NDEP representatives, and other interested parties. RAC meetings are open to the public and provide the primary avenue for public participation and the sharing of information. The RAC is the community group with the most background on the prospective restoration of the Site. This Community Involvement Plan recognizes this fact and therefore the frequency of RAC meetings is quarterly.

### **10.1.5 Access Requirements for Other Parties**

Several entities and the NDEP, require periodic access to portions of the property for remediation activities. Other entities party to the AOC3 may also require periodic access to portions of the property.

#### **10.1.5.1 NDEP Access**

The 2006 AOC3, Section XII, requires that NDEP and its authorized representatives have access to the site “at all reasonable times, upon reasonable notice” where work is being performed pursuant to this Consent Agreement for the purposes of:

(a) discussing the work being performed under this Consent Agreement with relevant Company or Contract personnel;

(b) inspecting conditions, activities, the results of activities, records, operating logs, and contracts related to the Site or the Companies and their contractors pursuant to this Consent Agreement;

(c) reviewing the progress of the Companies in carrying out the terms of this Consent Agreement;

(d) conducting such tests, sampling, or monitoring as the Division or its authorized representatives deem necessary;

(e) with the written consent of the Companies, which shall not be unreasonably withheld, using a camera, sound recording device or other documentary type equipment;

(f) verifying the reports and data submitted to the Division by the Companies; and,

(g) inspecting and copying all non-privileged records, files, photographs, documents, sampling and monitoring data, and other writings or materials related to work undertaken in carrying out the requirements of this Consent Agreement.

This access requirement will exist for as long as work is being conducted on any portion of the Property pursuant to the 2006 AOC3. It is also possible that the best or only access route to an area of the Property where work is being performed may, in the future, be through an area that has received a NFA or NFAD. The NDEP's access for purposes defined under the AOC3 shall not be impacted by any change in ownership or redevelopment of the parcels within the Site. Any future Site Development Plan shall take into account any continuing access requirements by the NDEP or BRC or other third involved parties, including American Pacific Corporation, TIMET, and Nevada Power Company, whether identified herein or not.

#### **10.1.5.2**

#### **Kerr McGee (TRONOX) Access**

By Administrative Order on Consent dated October 8, 2001, as amended, Kerr-McGee LC (predecessor to TRONOX LLC) agreed with NDEP to conduct certain water treatment and remediation activity regarding perchlorate which involves a treatment plant, pipelines and groundwater access. To the extent TRONOX requires, or has continuing obligations to the NDEP that require, access to or across the Site, such access will be allowed pursuant to this CIP.

#### **10.1.5.3**

#### **Basic Remediation Access**

As set forth in the 2006 AOC3, BRC is required to obtain access for the NDEP to the extent work associated with the Consent Agreement needs to be completed at the Property. It is also possible that the most efficient access route to an unremediated portion of the Property may be through an area that has received an NFA or NFAD. To the extent BRC or its affiliates has continuing obligations to NDEP that require access to the Site, such access will be allowed pursuant to this CIP.

#### **10.1.6 Site Security**

Trespassers present an ongoing problem near vacant land. The Property has a program in place to prevent trespass at the Property and to maintain the Property in a secure fashion. This program will continue and will include:

- regular inspection of perimeter fencing and repair or damaged areas;
- regular communication with local authorities when trespassing has occurred;
- requests that trespassers vacate the area when they are discovered on the Property, and requests for assistance from local authorities when trespassers refuse to leave;
- removal of debris and refuse (e.g., abandoned cars) from the Property; and
- signs posted on the fence around the property which state “Property Under Environmental Investigation and Remediation – No Trespassing” “Trespassers will be prosecuted” “Trespassers assume all liabilities incident to trespass, including accident and injury.”

It is anticipated that additional activity at the Property may increase the likelihood of trespass activity. As the parcels move through each stage of remediation and into redevelopment, additional security measures will be put into place as needed. These security measures may include routine police inspection, installation of security cameras, and hiring a private security service to monitor the Property.

#### **10.1.7 Dust Control**

Dust Control procedures are specified in the Dust Mitigation Plan included as part of BRC's Corrective Action Plan.

#### **10.1.8 Worker Protection Requirements**

Worker protection requirements are specified in BRC's Health and Safety Plan. This Plan will be used by BRC during the remediation process. In addition, contractors working on the project are required to create their respective Health and Safety Plans. Once finalized, all requirements for the protection of site workers, neighbors and the surrounding community will be employed during the remediation phase at each parcel.

#### **10.1.9 Public Information Kiosk**

In addition to the materials held at the Repository, a kiosk has been established to allow members of the public to obtain fact sheets and other information regarding the

remediation and redevelopment of the Site. The materials are provided free of charge and a phone number is included which the public may call to obtain additional information about activities at the Site. A website name is also listed on the fact sheets as an additional source of information. The material at the kiosk may also include information about the future site development plans, including a master plan detailing the locations of schools, businesses, and housing proposed for the Property.

#### **10.1.10 Community Meetings During Remedial Activities**

As remediation moves forward, additional public meetings may be held to inform the public about the activities at the Property. Meetings of the Restoration Advisory Committee (RAC) will be the primary mode of conducting this outreach. These meetings will be announced on the Repository website and posted at the kiosk 10 days in advance. A representative from the NDEP will be invited to attend. Minutes will be prepared and circulated to NDEP, the RAC members, and posted at the Repository for public review.

#### **10.1.11 Public Hearings**

Additional public hearings may be scheduled by the NDEP for significant decisions regarding the Site. The AOC3, Section XXXIII, states that the NDEP “may, at its discretion, conduct a public notice or comment procedure with respect to any Deliverable pursuant to this Settlement Agreement. The Division shall notify the Companies in writing of its determination to provide for, or legal requirement governing, public notice or comment with respect to such document as well as the corresponding adjustment that shall be made to any affected Work or Deliverable submittal or approved schedule. Following any such notice and comment period, the Division may require the Companies to revise the Deliverable and/or perform reasonable additional Work necessary to address appropriately any issue regarding such document identified by the public during such comment period.”

BRC or its affiliates may hold additional public meetings or may request that NDEP allow for notice and comment periods for particular decisions in order to allow the community to fully express its views.

## **11.0 No Further Action or Similar Letters Stage**

Section XVII of the AOC3 stipulates the circumstances under which BRC can seek a finding of No Further Action Determination (NFAD) with respect to all or parts of the property. This Section of the AOC3 will be the vehicle used to release portions of the Site with respect to soils and obtain NFAD letters from the NDEP.

### **11.1.1 Deed Recordation of the NFA or NFAD letter**

Deed recordation of any NFA or NFAD letter, or the like, is required by this CIP.

### **11.1.2 Deed Recordation of Restrictions**

The NDEP may issue NFA or NFAD letters containing restrictions for development of certain portions of the Site, including, but not limited to, the Recreation and Trails Sub-Area proximate to the Las Vegas Wash. Although further study of sections of the Site may not be required by the NDEP, certain uses may be restricted.

## ***11.2 Recordable Notice***

Recordable notice reflecting the condition and historical use of the Development Properties will be recorded, as permitted by Nevada law, in order to insure that all future purchasers and developers have adequate notice of the prior industrial use and condition of portions of the Properties.

The Recordable notice shall read as follows:

THIS PROPERTY HAS BEEN USED HISTORICALLY FOR INDUSTRIAL PURPOSES. THE PROPERTY IS THE SUBJECT OF CONSENT AGREEMENTS, DATED APRIL 25, 1991, FEBRUARY 23, 1996, JUNE 1996 AND FEBRUARY 2006, AS THE SAME MAY BE AMENDED OR SUPERCEDED FROM TIME TO TIME. COPIES OF THESE CONSENT AGREEMENTS AND INFORMATION WITH RESPECT TO THE INVESTIGATION AND CLEANUP OF ANY ENVIRONMENTAL CONTAMINATION THAT HAS BEEN OR IS ASSOCIATED WITH THIS PROPERTY IS AVAILABLE FROM THE NDEP AND IS AVAILABLE AT THE REPOSITORY AT THE HENDERSON PUBLIC LIBRARY.

THE PROPERTY IS ALSO SUBJECT TO A COMMUNITY INVOLVEMENT PLAN THAT IS DESIGNED TO INFORM AND EDUCATE THE PUBLIC ABOUT THE PLANS FOR REDEVELOPMENT ON THE SITE. UNTIL FINAL PLANS FOR REMEDIATION AND CLOSURE ARE COMPLETED AND APPROVED BY NDEP, THE PROPERTY REMAINS SUBJECT TO THE CONSENT AGREEMENTS MENTIONED ABOVE, THE ADDITIONAL REGULATORY REQUIREMENTS OF THE NDEP, AND THE COMMUNITY INVOLVEMENT PLAN. THE COMMUNITY INVOLVEMENT PLAN AND OTHER HISTORICAL AND CURRENT DOCUMENTS RELATED TO THE SITE ARE AVAILABLE AT THE REPOSITORY AT THE HENDERSON PUBLIC LIBRARY, 280 WATER STREET, HENDERSON, NEVADA.

THE PROPERTY IS ALSO SUBJECT TO THE ACCESS REQUIREMENTS SET FORTH IN THE CONSENT AGREEMENTS, WHICH REQUIRE THAT THE NDEP AND CERTAIN OTHER PARTIES TO THE AGREEMENTS HAVE ACCESS NECESSARY TO SUPERVISE AND/OR CONDUCT THE ACTIVITIES REQUIRED BY THE CONSENT AGREEMENT.

#### **11.2.1 Specific Deed Restrictions.**

Portions of the Property may be subject to occupational and use restrictions as identified in a parcel-specific NFA or NFAD. The Specific Deed Restrictions, to the extent appropriate, will address any property-specific conditions that require disclosure and restrictions shall be recorded, along with the NFA or NFAD, as permitted by Nevada law.

#### **11.2.2 Notifications To Buyers and Tenants Prior To Sale Closing or Rental.**

The Buyer will assure that marketing materials provided to all potential purchasers and tenants of land within the Development Properties notify them of:

the prior industrial use and environmental condition of the Development Properties;

the Deed Notice and any specific deed restriction applicable to the properties on the Site;

the environmental response work that has been completed with respect to the Development Properties;

the Document Repository (and recipients of the marketing materials shall be invited to review the material contained therein);

the website address;

this Community Involvement Plan;

the Community Information Line.

Notification and marketing materials shall be established in the first instance by the Buyer, and approved or modified, from time to time as may be necessary, by the Community Association.

### **11.2.3 Informed Consent**

#### **11.2.3.1 At Time of Closing**

The Buyer will require all future purchasers or renters of the Property to execute a document at closing of the purchase or rental of the Property indicating that the buyer or tenant is making an informed purchase or rental decision. The form shall comply with Nevada law, shall be consistent with public policy, and shall be enforceable in the State of Nevada. The Community Association shall approve and adopt the form of Informed Consent. The form of Informed Consent shall be made available at least 15 days prior to the date of closing of a purchase, and at least twenty-four hours before rental.

#### **11.2.3.2 Resale Closings**

Resale of any Property shall be subject to the obligation to comply with the Notification to Buyers and Renters provisions of section 7.5.2 above, and the Informed Consent provisions of this section. Any resale shall be subject to the Deed Restrictions required by this CIP.

### **11.3 *Health and Safety Plan***

A Health and Safety Plan ("HASp") that complies with the requirements of the Occupational Health and Safety Administration, the United States Environmental Protection Agency, and Nevada law will be in place when the Property is being



remediated. The HASP is a stand-alone document and will be available at the Repository and on the website. At a minimum, the HASP shall include:

A form for written acknowledgment of receipt of the HASP, and;

An agreement to comply with the requirements thereof; (This acknowledgement shall be signed by all persons entering the Property to conduct work that will require them to come in contact with any soils or groundwater at the Site. A copy of all signed acknowledgements shall be maintained in the Repository)

Identification of personal protective equipment needs for the various work activities, including but not limited to, the installation and maintenance of utility lines and swimming pools;

Identification of monitoring equipment and procedures to be used during the various work activities, including but not limited to, the installation of utility lines and swimming pools;

A plan for emergency response and notification;

A plan for handling suspect or hazardous materials, if encountered; (This will include decontamination of the equipment coming in contact with the waste/suspect material);

Identification of an on-site Health and Safety Coordinator;

Directions to the Property;

A listing of emergency routes to the nearest hospital and emergency room;

Telephone numbers and location of the following: Nearest hospital and emergency room, Poison Control Center, Police (both State and local), Fire department, Emergency Medical Service, Flight for Life Service, Explosives Unit, Contractors Supervisory and Management personnel (work and home), and the Nevada Department of Environmental Protection;

Documentation of appropriate training of the Contractors personnel (as may be required by law), but not limited to, 40-hour OSHA Hazardous Waste Site Training in accordance with 29 CFR 1910.120;

The Contractor's Health and Safety Plan shall be prominently displayed at the work site.

## **12.0 Public Involvement Plan**

The Public Involvement Plan, required pursuant to Section XXXIII of the AOC3 is to establish mechanisms for:

- Identifying community concerns;
- Distributing information to the public about activities at the site;
- Obtaining input on site activities from interested parties; and
- Responding to inquiries from community members and other concerned individuals.

This Plan presents methods by which those responsible for implementing the CIP will inform stakeholders about studies and plans concerning the Site, while encouraging public input. Included in these methods are Restoration Advisory Committee meetings, the Document Repository, public meetings, a community information line, website, fact sheets, community information center and an e-newsletter.

It is an integrated approach that is intended to engage stakeholders in this historic remediation, restoration, and development project.

The plan also establishes a method to preserve the heritage of the site's historic contributions for generations to come by developing and maintaining a repository for the photographic collections and archives which document its significance.

### **12.1 Key Points**

- BRC is working closely and cooperatively under the NDEP's supervision to restore historically blighted lands to beneficial use. Likewise, redevelopment plans are being designed closely and cooperatively under the City of Henderson's supervision.
- Safety is the highest priority. BRC will conduct the remediation and restoration activities to the highest standards of safety and care.
- The Remediation and Restoration Project is the most significant infill land development project in Nevada and is one of the largest in the United States. With 2,200 acres, it will also be one of the largest mixed-use master-planned communities in the state of Nevada.
- The goal of the remediation project is to restore lands on the Site that have been negatively impacted by historical industrial use to residential standards fully consistent with Environmental Protection Agency (EPA) methodology. There will be no excavated contaminated soils interred or capped on site.

## **12.2 Stakeholder Relations Tools**

A wide range of communications tools will be incorporated to execute the Public Involvement Plan. They include:

- **E-newsletter**

Those responsible for implementing the CIP will distribute an e-newsletter to be sent via e-mail to the list of stakeholders and other interested parties, including media.

News stories concerning the project will be written as the project announces updates, events, and key milestones. This e-newsletter will be distributed monthly, or more often as needed.

- **Fact Sheets/Newsletters**

Fact Sheets/Newsletters summarizing current and prospective activities concerning the restoration of the Site will be prepared by BRC periodically until the restoration is completed. These Fact Sheets will be posted to the Repository on the website and physically and/or electronically mailed to stakeholders listed in Chapter 9 of this Plan.

- **Website**

Those responsible for implementing the CIP will establish and maintain the Property website, which shall serve as the Repository and a continuing source of current information for the public. The website will be updated on a regular basis, and not less than monthly. It will host important content, including contact information, project updates, news releases, photos, historical facts, links to other relevant sites and resources. It invites input from the public through message boards, forms, and surveys.

Of note, the 2003 Community Assessment Survey conducted by Godbe Research and Analysis evaluating City of Henderson services reports that 35 percent of respondents indicated a preference for accessing city service information from a mailer or newsletter, 31 percent preferred the Internet, 10 percent indicated the newspaper, and 9 percent preferred the phone. Younger respondents were more likely to indicate a preference for accessing information via the Internet compared with respondents in other age groups.

- **The Community Information Kiosk/Center**

A community information kiosk has been designed, developed, and constructed on the eastern edge of the property. It contains visual displays

and fact sheets and will be updated on new developments on an ongoing basis. It is designed to complement the Repository established at [www.landwellco.com](http://www.landwellco.com). This kiosk may be enlarged to become a larger community center as the masterplan development is initiated and proceeds.

- **Restoration Advisory Committee**

The Restoration Advisory Committee (“RAC”) is the group comprised of community leaders, business representatives, and interested citizens which was composed in 1999 and which has met on a regular basis. It is open to the public. This panel provides feedback, asks questions, and helps create a forum for the ongoing restoration process. As the restoration project progresses, more participants from industry, government and regulatory agencies, and the community may become involved and invited to attend. The RAC will be the primary forum for providing information and soliciting feedback from the community.

- **Public and Community Meetings and Hearings**

Public meetings will be held periodically throughout the remediation, restoration and development phases. As mentioned above, RAC meetings will be the primary mechanism for these public meetings. These meetings will be designed to inform citizens and various interested parties on the project status and to allow for public questions and comments. A transcript of each meeting will be prepared and placed in the information repository. Public meetings will be advertised in the Las Vegas Sun, Las Vegas Review-Journal, the Henderson Home News, and at [www.landwellco.com](http://www.landwellco.com).

- **Community Information Line**

Those responsible for implementing the CIP will establish a phone number for the project so that questions from interested parties may be logged and answered. It will also serve as a tool to continue gathering e-mail addresses and contact information for e-newsletters and mailings. It will be staffed during normal business hours.

- **Speaking Engagements and Community Events**

Project staff will be available as guest speakers for business, community, professional, and governmental organizations and will seek opportunities to address key groups. These might include Chambers of Commerce and other civic groups such as the Rotary and Kiwanis clubs; professional groups such as ASCE and NSPE; regional environmental groups such as the Las Vegas Wash Coordination Committee, Southern Nevada Environmental Task Force, and the Lake Mead Water Quality Forum; government organizations such as the Southern Nevada Water Association; and homebuilding and development groups such as the GLVAR, SNHBA, AGC, and others.

**12.3 *Media Liaison***

BRC, The LandWell Company, and the Buyer will interface with the local and national media through Brown & Partners ("B&P"). B&P will field media inquiries and schedule interviews, media tours, and similar events.

**Press Kits**

Electronic and printed press kits will be created and regularly updated to provide accurate and timely information for all media inquiries. These press kits will also contain video B-roll and photographic archives.

**News Releases**

Information on all relevant newsworthy events will be written and distributed as news releases. These news releases will be sent directly to media listed in Chapter 9 of the Plan and to the individual members of the RAC. All news releases will also be posted to the website.

### **13.0 Liaison Procedure**

During the Pre-development Stage, BRC will appoint an individual responsible for community liaison.

During the two subsequent stages, the Community Association shall establish a liaison procedure to receive, investigate, and respond to complaints, disputes or claims, of any Community Association members, including, but not limited to, homeowners, commercial property owners, commercial or residential tenants, as well as those of any commercial employees. At a minimum, the liaison procedure shall include the following:

A. A requirement that all Community Association members first pursue to completion through this liaison procedure, their complaints, disputes or claims, including effects therefrom, arising out of this CIP or in any way related to matters or activities covered, addressed or managed by this CIP.

B. Quarterly notifications of the required liaison procedure be posted on the Repository website.

C. Annual publication in a newspaper of general circulation of the community of the liaison procedure.

D. The designation of at least one liaison who shall become knowledgeable about the historical uses of the Property and its present condition.

E. A system for receipt and response to complaints, disputes, or claims involving the Property.

F. A requirement that any potentially responsible entity be promptly notified and engaged in the liaison process.

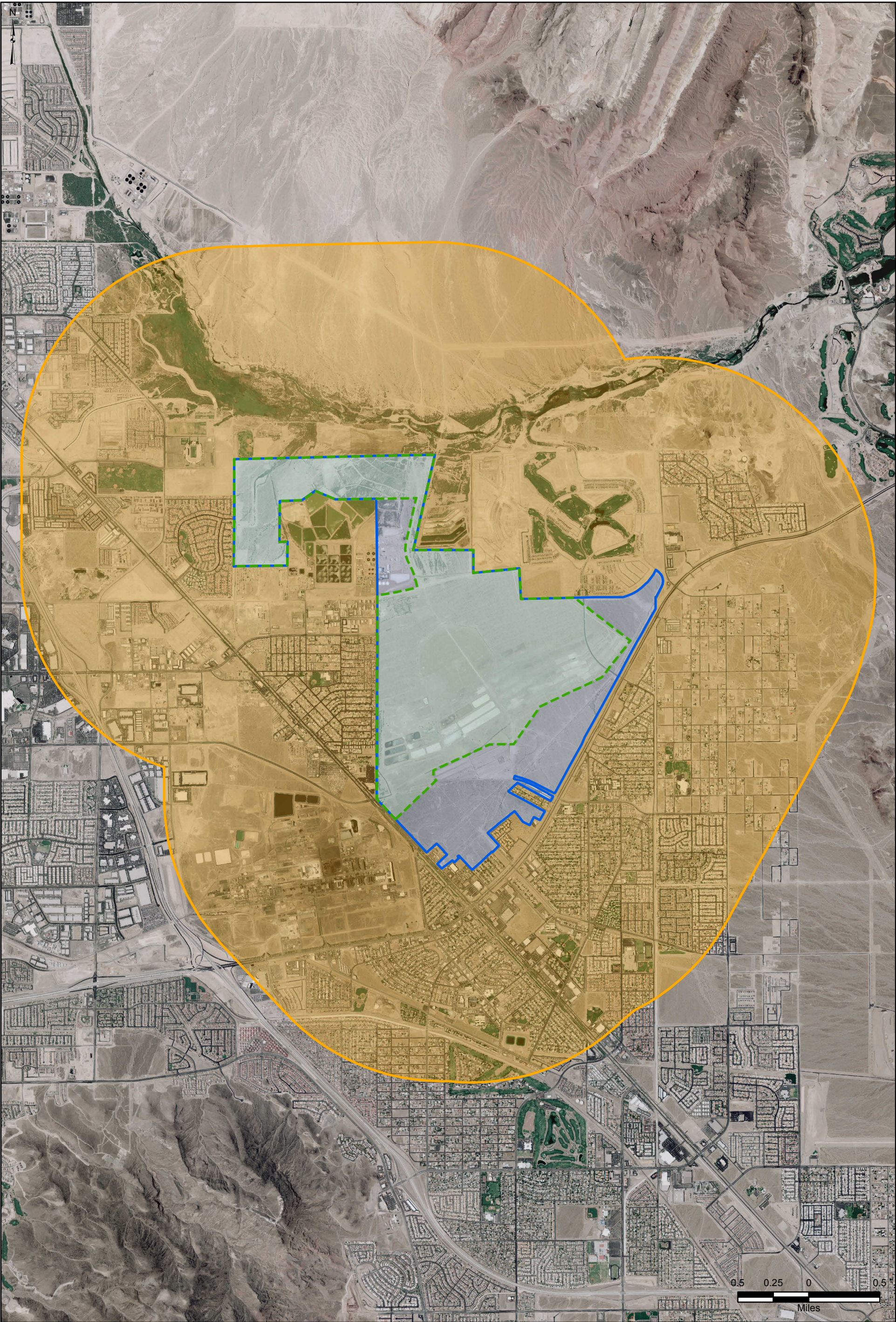
G. A mechanism for non-binding dispute resolution which shall comply with applicable Nevada law.




H. Conditional plans to be implemented, if and only when necessary, for maintaining repair or construction specifications that may involve sub-surface work.

#### **14.0 Proposed Timeline**

A project remediation schedule has been prepared to guide the development of this project. It is provided in subsequent pages and at [www.landwellco.com](http://www.landwellco.com). It is subject to periodic assessment and revision based on regulatory, remediation, restoration, and development milestones.





-  AOC3 Boundary
-  Soil Boundary
-  1.5 Mile Buffer

BMI Common Areas  
Clark County, Nevada

FIGURE  
1.5 MILE  
BUFFER MAP



Prepared by:  
MKJ

Date  
02/05/08

JOB No. 0064276  
FILE: GIS/BRC/1.5MILE\_BUFFER.MXD



# BRC ENVIRONMENTAL CLEANUP

ID	Task Name	Duration	Start	Finish	Predecessors	February 2/12
1	<b>BRC SITE CLEANUP</b>	1939 days	Wed 2/15/06	Tue 6/7/11		2/5
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# BRC ENVIRONMENTAL CLEANUP

ID	Task Name	Duration	Start	Finish	Predecessors	2/5	February 2/12
45	TestAmerica/DelMar	1 day	Mon 7/31/06	Mon 7/31/06			
46	Southwest Analytical	1 day	Mon 7/31/06	Mon 7/31/06			
47	EMS/EMSL Labs	1 day	Mon 7/31/06	Mon 7/31/06			
48	Confirm that labs are maintaining certifications	1 day	Tue 7/31/07	Tue 7/31/07			
49							
50	FSP/SOPs	436 days	Mon 10/30/06	Tue 1/8/08			
51	FINAL	1 day	Mon 10/30/06	Mon 10/30/06			
52	Updated (SOP-16) submitted to NDEP	1 day	Tue 1/8/08	Tue 1/8/08			
53							
54	Background Investigations	1051 days	Wed 2/15/06	Wed 12/31/08			
55	Shallow Soils Background (Metals/Rads)	1 day	Mon 7/2/07	Mon 7/2/07			
56	FINAL	1 day	Mon 7/2/07	Mon 7/2/07			
57	Surface Soils Background (Other Compounds)	1 day	Sat 10/20/07	Sat 10/20/07			
58	OC Pesticides - Data Collected	1 day	Sat 10/20/07	Sat 10/20/07	63		
59	Deep Soil Horizons and Qa Groundwater (Upgradient) Eastside	675 days	Wed 2/15/06	Fri 12/21/07			
60	NDEP Approval	1 day	Tue 6/12/07	Tue 6/12/07			
61	Complete Qa Upgradient Well Installation	1 day	Wed 8/8/07	Wed 8/8/07			
62	Complete Soil Boring Data Analysis and Submit Data Report to NDEP	1 day	Fri 12/21/07	Fri 12/21/07			
63	Complete Field Implementation of Deep Background Workplan	1 day	Fri 10/19/07	Fri 10/19/07			
64	Prepare Draft Background Report and Submit to NDEP	30 days	Wed 2/15/06	Thu 3/16/06			
65	Other Horizons Groundwater Eastside	1 day	Wed 12/31/08	Wed 12/31/08			
66	To Be Determined	1 day	Wed 12/31/08	Wed 12/31/08			
67	Qa/Other Horizons Groundwater CAMU Area	1 day	Wed 12/31/08	Wed 12/31/08			
68	To Be Determined	1 day	Wed 12/31/08	Wed 12/31/08			
69							
70	RTCs For NDEP Comments	275 days	Wed 2/15/06	Thu 11/16/06			
71	Submit BRC RTCs for Specified Older NDEP Comments	46 days	Wed 2/15/06	Sat 4/1/06			
72	Submit BRC RTC for NDEP July 11, 2005 Comments	46 days	Wed 2/15/06	Sat 4/1/06			
73	Notice That No NDEP Comments Will Be Issued	1 day	Thu 11/16/06	Thu 11/16/06			
74							
75	Eastside Groundwater Investigation	1041 days	Fri 2/17/06	Tue 12/23/08			
76	Workplan - FINAL	1 day	Fri 2/17/06	Fri 2/17/06			
77	First Quarter // Second Quarter // Third Quarter // Fourth Quarter	1 day	Fri 11/9/07	Fri 11/9/07			
78	Reports - FINAL	1 day	Fri 11/9/07	Fri 11/9/07			
79	Fifth Quarterly Event	200 days	Sat 6/7/08	Tue 12/23/08			
80	Collect Field Data	45 days	Sat 6/7/08	Mon 7/21/08	124, 134, 62, 139		
81	Lab Analysis of Data	45 days	Tue 7/22/08	Thu 9/4/08	80		
82	Data Validation	35 days	Fri 9/5/08	Thu 10/9/08	81		
83	Submit Report and DVSR to NDEP	15 days	Fri 10/10/08	Fri 10/24/08	82		
84	NDEP Review	30 days	Sat 10/25/08	Sun 11/23/08	83		
85	Incorporate NDEP Comments and Finalize Report	30 days	Mon 11/24/08	Tue 12/23/08	84		
86							
87	Screening Investigations for PCBs	32 days	Mon 6/12/06	Thu 7/13/06			
88	Submit Workplan	1 day	Mon 6/12/06	Mon 6/12/06			

# BRC ENVIRONMENTAL CLEANUP

ID	Task Name	Duration	Start	Finish	Predecessors	2/5	February 2/12
89	NDEP Comments Received	1 day	Tue 7/11/06	Tue 7/11/06			
90	BRC Response/Defer Workplan	1 day	Thu 7/13/06	Thu 7/13/06			
91							
92	Off-Site Dust Sampling	487 days	Thu 11/30/06	Sun 3/30/08			
93	Report Submitted to NDEP	1 day	Thu 11/30/06	Thu 11/30/06			
94	Submitted Revised Report Per Most Recent NDEP Comments	1 day	Mon 4/30/07	Mon 4/30/07			
95	NDEP Response Letter	1 day	Thu 5/31/07	Thu 5/31/07			
96	Obtained Bids for Data Collection	1 day	Sat 9/1/07	Sat 9/1/07			
97	Collect Baseline Data	45 days	Fri 2/15/08	Sun 3/30/08			
98							
99	Removal of Recent IDW	31 days	Tue 1/15/08	Thu 2/14/08			
100	Complete NDEP Discussions Re. Profiling	1 day	Tue 1/15/08	Tue 1/15/08			
101	Remove IDW	30 days	Wed 1/16/08	Thu 2/14/08	100		
102							
103	Radionuclide Secular Equilibrium Verification	107 days	Thu 11/1/07	Fri 2/15/08			
104	Submitted Calculations to NDEP for Review	1 day	Thu 11/1/07	Thu 11/1/07			
105	Expected Completion of NDEP Review	1 day	Fri 2/15/08	Fri 2/15/08			
106							
107	EASTSIDE SOILS (IMPLEMENTATION OF SOILS ROD)	1741 days	Fri 9/1/06	Tue 6/7/11			
108							
109	CLOSURE PLAN (Inc. Site-Wide DQOs)	1 day	Mon 7/16/07	Mon 7/16/07			
110	FINAL	1 day	Mon 7/16/07	Mon 7/16/07			
111							
112	STATISTICAL CLOSURE Report	1 day	Fri 9/1/06	Fri 9/1/06			
113	FINAL	1 day	Fri 9/1/06	Fri 9/1/06			
114							
115	EASTSIDE CSM REPORT	817 days	Tue 2/27/07	Sat 5/23/09			
116	Legacy Data Validation Reports Finalized	1 day	Tue 2/27/07	Tue 2/27/07	371FS-1 day		
117	Begin Preparation of Draft CSM Report	1 day	Wed 12/24/08	Wed 12/24/08	116,124,134,142,85		
118	Submit Draft CSM Report to NDEP	60 days	Thu 12/25/08	Sun 2/22/09	117		
119	NDEP Review	30 days	Mon 2/23/09	Tue 3/24/09	118		
120	Submit Final CSM to NDEP	30 days	Wed 3/25/09	Thu 4/23/09	119		
121	OBTAIN Eastside CSM NDEP "Approval" (Living Doc)	30 days	Fri 4/24/09	Sat 5/23/09	120		
122							
123	Eastside - Northeast Area Shallow Groundwater	151 days	Tue 7/24/07	Fri 12/21/07			
124	Complete field implementation / well installation	1 day	Tue 7/24/07	Tue 7/24/07			
125	Complete Soil Boring Data Analysis and Submit Data Report to NDEP	1 day	Fri 12/21/07	Fri 12/21/07			
126							
127	Eastside Aquifer Testing/Slug Testing and Groundwater Modeling	497 days	Wed 12/13/06	Tue 4/22/08			
128	Modeling Workplan - FINAL	1 day	Wed 12/13/06	Wed 12/13/06			
129	Aquifer Testing Report - FINAL	1 day	Mon 12/3/07	Mon 12/3/07			
130	Slug Testing Report - FINAL	1 day	Wed 12/12/07	Wed 12/12/07			
131	Submit Modeling Technical Memo to NDEP	1 day	Thu 1/31/08	Thu 1/31/08			
132	Meet with NDEP for Kick Off Meeting [Suggested "window" for Meeting]	7 days	Fri 2/1/08	Thu 2/7/08	131		

# BRC ENVIRONMENTAL CLEANUP

ID	Task Name	Duration	Start	Finish	Predecessors	2/5	February 2/12
133	Obtain NDEP Approval of Results (for GW Modeling)	30 days	Fri 2/8/08	Sat 3/8/08	132		
134	Complete Preliminary Modeling	45 days	Sun 3/9/08	Tue 4/22/08	133		
135							
136	<b>Eastside Deep Groundwater Investigation</b>	<b>522 days</b>	<b>Mon 4/2/07</b>	<b>Thu 9/4/08</b>			
137	Submit RTC for NDEP Comments Dated March 1, 2007	1 day	Mon 4/2/07	Mon 4/2/07			
138	BRC Workplan to NDEP	30 days	Mon 3/24/08	Tue 4/22/08	134FF		
139	Field Implementation Planning and Field Implementation	45 days	Wed 4/23/08	Fri 6/6/08	138		
140	Submit Draft Report	30 days	Sat 6/7/08	Sun 7/6/08	139		
141	Obtain NDEP Comments	30 days	Mon 7/7/08	Tue 8/5/08	140		
142	Finalize Report	30 days	Wed 8/6/08	Thu 9/4/08	141		
143							
144	<b>EASTSIDE CLEANUP ACTIVITIES</b>	<b>1385 days</b>	<b>Thu 8/23/07</b>	<b>Tue 6/7/11</b>			
145							
146	<b>4A AREA</b>	<b>53 days</b>	<b>Fri 12/28/07</b>	<b>Mon 2/18/08</b>			
147	NDEP Approval of Supplemental Sampling Workplan	1 day	Fri 12/28/07	Fri 12/28/07			
148	Collect Samples	2 days	Tue 1/8/08	Wed 1/9/08			
149	Complete Sample Analysis and Validation	21 days	Thu 1/10/08	Wed 1/30/08	148		
150	Update Risk Calculations and submit to NDEP	3 days	Thu 1/31/08	Sat 2/2/08	149		
151	Discuss with NDEP	15 days	Sun 2/3/08	Sun 2/17/08	150		
152	Reaffirm NFA	1 day	Mon 2/18/08	Mon 2/18/08	151		
153							
154	<b>4B AREA</b>	<b>94 days</b>	<b>Tue 1/15/08</b>	<b>Thu 4/17/08</b>			
155	Discuss Supplemental Sampling Workplan with NDEP	15 days	Tue 1/15/08	Tue 1/29/08			
156	Obtain NDEP Approval of Workplan	15 days	Wed 1/30/08	Wed 2/13/08	155		
157	Complete Additional Limited Scraping	15 days	Fri 2/15/08	Fri 2/29/08	156		
158	Obtain Confirmation Samples	1 day	Sat 3/1/08	Sat 3/1/08	157		
159	Complete Sample Analysis	15 days	Sun 3/2/08	Sun 3/16/08	158		
160	Update Risk Calculations and submit to NDEP	1 day	Mon 3/17/08	Mon 3/17/08	159		
161	Discuss with NDEP	30 days	Tue 3/18/08	Wed 4/16/08	160		
162	Reaffirm NFA	1 day	Thu 4/17/08	Thu 4/17/08	161		
163							
164	<b>CoH UTILITY CORRIDOR SUB-AREA</b>	<b>277 days</b>	<b>Sat 3/1/08</b>	<b>Tue 12/2/08</b>			
165	Demarcate Subarea	7 days	Sat 3/1/08	Fri 3/7/08			
166	Submit Sub-area Specific Workplan	1 day	Sat 3/1/08	Sat 3/1/08			
167	NDEP Review	30 days	Sun 3/2/08	Mon 3/31/08	166		
168	Incorporate Comments and Finalize Workplan	15 days	Tue 4/1/08	Tue 4/15/08	167		
169	Complete Impacted Soils Removal from Subarea	30 days	Sun 6/1/08	Mon 6/30/08	285		
170	Obtain Confirmation Samples	7 days	Tue 7/1/08	Mon 7/7/08	169		
171	Complete Lab Analysis	35 days	Tue 7/8/08	Mon 8/11/08	170		
172	Complete DVSR	30 days	Tue 8/12/08	Wed 9/10/08	171		
173	Complete Data Useability and Risk Assessment	30 days	Tue 8/12/08	Wed 9/10/08	171		
174	Submit Draft Closure Report to NDEP	1 day	Thu 9/11/08	Thu 9/11/08	173		
175	NDEP Review	30 days	Fri 9/12/08	Sat 10/11/08	174		
176	INCORPORATE NDEP Comments	21 days	Sun 10/12/08	Sat 11/1/08	175		

# BRC ENVIRONMENTAL CLEANUP

ID	Task Name	Duration	Start	Finish	Predecessors	2/5	February 2/12
177	SUBMIT FINAL to NDEP	1 day	Sun 11/2/08	Sun 11/2/08	176		
178	OBTAIN Utility Corridor NFAD	30 days	Mon 11/3/08	Tue 12/2/08	177		
179							
180	<b>MOHAWK SUB-AREA</b>	369 days	Thu 8/23/07	Mon 8/25/08			
181	Submit Sub-area Specific Workplan	1 day	Thu 8/23/07	Thu 8/23/07	113,260,110		
182	NDEP Review	1 day	Thu 1/31/08	Thu 1/31/08			
183	Incorporate Comments and Finalize Workplan	15 days	Fri 2/1/08	Fri 2/15/08	182		
184	Field Preparations	15 days	Sat 2/16/08	Sat 3/1/08	183		
185	Field Sampling	7 days	Sun 3/2/08	Sat 3/8/08	184		
186	Laboratory Data Analysis	35 days	Sun 3/9/08	Sat 4/12/08	185		
187	Data Validation Complete	21 days	Sun 3/30/08	Sat 4/19/08	186SS+21 days		
188	Data Useability and Risk Assessment Draft Complete	30 days	Sun 4/20/08	Mon 5/19/08	187		
189	Prepare Draft Closure Report	15 days	Tue 5/20/08	Tue 6/3/08	188		
190	SUBMIT Draft Closure Report to NDEP	1 day	Wed 6/4/08	Wed 6/4/08	189		
191	NDEP Review	30 days	Thu 6/5/08	Fri 7/4/08	190		
192	INCORPORATE NDEP Comments	21 days	Sat 7/5/08	Fri 7/25/08	191		
193	SUBMIT FINAL to NDEP	1 day	Sat 7/26/08	Sat 7/26/08	192		
194	OBTAIN Mohawk NFAD	30 days	Sun 7/27/08	Mon 8/25/08	193		
195							
196	<b>WESTERN HOOK SUB-AREA</b>	308 days	Fri 2/1/08	Thu 12/4/08			
197	Submit Sub-area Specific Workplan	30 days	Fri 2/1/08	Sat 3/1/08	260,113,182		
198	NDEP Review	30 days	Sun 3/2/08	Mon 3/31/08	197		
199	Incorporate Comments and Finalize Workplan	15 days	Tue 4/1/08	Tue 4/15/08	198		
200	Field Preparations	15 days	Wed 4/16/08	Wed 4/30/08	199		
201	Field Sampling	30 days	Thu 5/1/08	Fri 5/30/08	200		
202	Laboratory Data Analysis	45 days	Sat 5/31/08	Mon 7/14/08	201		
203	Data Validation Complete	30 days	Mon 6/30/08	Tue 7/29/08	202SS+30 days		
204	Data Useability and Risk Assessment Draft Complete	30 days	Wed 7/30/08	Thu 8/28/08	203		
205	Prepare Draft Closure Report	15 days	Fri 8/29/08	Fri 9/12/08	204		
206	SUBMIT Draft Closure Report to NDEP	1 day	Sat 9/13/08	Sat 9/13/08	205		
207	NDEP Review	30 days	Sun 9/14/08	Mon 10/13/08	206		
208	INCORPORATE NDEP Comments	21 days	Tue 10/14/08	Mon 11/3/08	207		
209	SUBMIT FINAL to NDEP	1 day	Tue 11/4/08	Tue 11/4/08	208		
210	OBTAIN Sunset North NFAD	30 days	Wed 11/5/08	Thu 12/4/08	209		
211							
212	<b>GALLERIA NORTH SUB-AREA</b>	412 days	Sun 6/1/08	Fri 7/17/09			
213	Conduct First Round of Remediation	30 days	Sun 6/1/08	Mon 6/30/08	260,113,285		
214	Submit Sub-area Specific Workplan	1 day	Tue 7/1/08	Tue 7/1/08	213		
215	NDEP Review	30 days	Wed 7/2/08	Thu 7/31/08	214		
216	Incorporate Comments and Finalize Workplan	15 days	Fri 8/1/08	Fri 8/15/08	215		
217	Field Preparations for Confirmation Sampling	15 days	Sat 8/16/08	Sat 8/30/08	216		
218	Confirmation Sampling	15 days	Sun 8/31/08	Sun 9/14/08	217		
219	Laboratory Data Analysis	45 days	Mon 9/15/08	Wed 10/29/08	218		
220	Data Validation	30 days	Thu 10/30/08	Fri 11/28/08	219		

# BRC ENVIRONMENTAL CLEANUP

ID	Task Name	Duration	Start	Finish	Predecessors	2/5	February 2/12
221	Data Useability and Initial Risk Assessment	30 days	Sat 11/29/08	Sun 12/28/08	220		
222	Second Round of Remediation	21 days	Mon 12/29/08	Sun 1/18/09	221		
223	Confirmation Sampling	7 days	Mon 1/19/09	Sun 1/25/09	222		
224	Laboratory Data Analysis	45 days	Mon 1/26/09	Wed 3/11/09	223		
225	Data Validation	15 days	Thu 3/12/09	Thu 3/26/09	224		
226	Data Useability and Initial Risk Assessment	15 days	Fri 3/27/09	Fri 4/10/09	225		
227	Prepare Draft Closure Report	15 days	Sat 4/11/09	Sat 4/25/09	226		
228	SUBMIT Draft Closure Report to NDEP	1 day	Sun 4/26/09	Sun 4/26/09	227		
229	NDEP Review	30 days	Mon 4/27/09	Tue 5/26/09	228		
230	INCORPORATE NDEP Comments	21 days	Wed 5/27/09	Tue 6/16/09	229		
231	SUBMIT FINAL to NDEP	1 day	Wed 6/17/09	Wed 6/17/09	230		
232	OBTAIN Galleria North NFAD	30 days	Thu 6/18/09	Fri 7/17/09	231		
233							
234	SUNSET NORTH COMMERCIAL SUB-AREA	352 days	Fri 8/15/08	Sat 8/1/09			
235	Activities Similar To Galleria North	352 days	Fri 8/15/08	Sat 8/1/09 260,113,213FS+45 days			
236							
237	UPPER PONDS SUB-AREA	352 days	Sun 4/5/09	Mon 3/22/10			
238	Activities Similar To Galleria North	352 days	Sun 4/5/09	Mon 3/22/10 288,235SS+45 days			
239							
240	SPRAY WHEEL SUB-AREA	352 days	Wed 5/20/09	Thu 5/6/10			
241	Activities Similar To Galleria North	352 days	Wed 5/20/09	Thu 5/6/10 288,238SS+45 days			
242							
243	FIRST EIGHT ROWS SUB-AREA	352 days	Sat 7/4/09	Sun 6/20/10			
244	Activities Similar To Galleria North	352 days	Sat 7/4/09	Sun 6/20/10 288,241SS+45 days			
245							
246	TIMET PONDS SUB-AREA	1072 days	Tue 7/1/08	Tue 6/7/11			
247	Begin Excavation	1 day	Tue 7/1/08	Tue 7/1/08 213			
248	End Excavation	1 day	Sun 6/20/10	Sun 6/20/10 244FF			
249	Activities Similar to Galleria North	352 days	Mon 6/21/10	Tue 6/7/11 248			
250							
251	SOUTHERN RIBS SUB-AREA	352 days	Tue 8/18/09	Wed 8/4/10			
252	Activities Similar To Galleria North	352 days	Tue 8/18/09	Wed 8/4/10 288,243SS+45 days			
253							
254	RECREATIONAL SUB-AREA	280 days	Tue 8/18/09	Mon 5/24/10			
255	Activities Similar To Galleria North	280 days	Tue 8/18/09	Mon 5/24/10 288,243SS+45 days			
256							
257							
258	CAMU AREA - CAP, RAP, BORROW AREA, SLIT TRENCHES	1593 days	Fri 9/22/06	Mon 1/31/11			
259	CAP	1 day	Mon 9/25/06	Mon 9/25/06			
260	FINAL	1 day	Mon 9/25/06	Mon 9/25/06			
261							
262	RAP	573 days	Tue 11/7/06	Sun 6/1/08			
263	FINAL	1 day	Mon 9/24/07	Mon 9/24/07			
264	Received NDEP Comment Letter #1	1 day	Thu 12/20/07	Thu 12/20/07			

# BRC ENVIRONMENTAL CLEANUP

ID	Task Name	Duration	Start	Finish	Predecessors	February	
						2/5	2/12
265	RTC for Comment Letter #1 Submitted to NDEP	1 day	Wed 1/9/08	Wed 1/9/08			
266	Expected NDEP Comment Letter #2	1 day	Fri 1/11/08	Fri 1/11/08			
267	Expected RTC to Comment Letter #2	7 days	Sat 1/12/08	Fri 1/18/08	266		
268	Expected NDEP Comment Letter #3 (last)	1 day	Fri 1/18/08	Fri 1/18/08			
269	Expected RTC to Comment Letter #3	1 day	Sat 1/19/08	Sat 1/19/08	268		
270							
271	<b>TRI Inapplicability Letter</b>	<b>573 days</b>	<b>Tue 11/7/06</b>	<b>Sun 6/1/08</b>			
272	Letter Submitted By BRC to NDEP	1 day	Tue 11/7/06	Tue 11/7/06			
273	BRC To Request Direct Written Confirmation By EPA	1 day	Sun 6/1/08	Sun 6/1/08			
274							
275	<b>Slit Trench RAS</b>	<b>1 day</b>	<b>Mon 9/17/07</b>	<b>Mon 9/17/07</b>			
276	<b>FINAL - RAS and ROD Issued</b>	1 day	Mon 9/17/07	Mon 9/17/07			
277							
278	<b>CAMU CSM</b>	<b>1 day</b>	<b>Wed 8/8/07</b>	<b>Wed 8/8/07</b>			
279	<b>FINAL - (Living Doc)</b>	1 day	Wed 8/8/07	Wed 8/8/07			
280							
281	<b>CAMU Construction (Material Placement)</b>	<b>1097 days</b>	<b>Thu 1/31/08</b>	<b>Mon 1/31/11</b>			
282	Complete Contractor Selection	60 days	Thu 1/31/08	Sun 3/30/08			
283	Begin Construction Activities - South Mesa	1 day	Mon 3/31/08	Mon 3/31/08	282		
284	Complete Pre-Waste Placement Activities - South Mesa	60 days	Tue 4/1/08	Fri 5/30/08	283		
285	Begin Waste Placement - South Mesa	1 day	Sat 5/31/08	Sat 5/31/08	284		
286	Begin Construction Activities - North Mesa	1 day	Sat 11/29/08	Sat 11/29/08	298		
287	Complete Pre-Waste Placement Activities - North Mesa	125 days	Sun 11/30/08	Fri 4/3/09	286		
288	Begin Waste Placement - North Mesa	1 day	Sat 4/4/09	Sat 4/4/09	287		
289	End Waste Placement, Install CAMU Cap	1 day	Wed 8/4/10	Wed 8/4/10	252FF		
290	Complete Cap for BMI Landfills	180 days	Thu 8/5/10	Mon 1/31/11	289		
291							
292	<b>Borrow Pit</b>	<b>16 days</b>	<b>Tue 1/15/08</b>	<b>Wed 1/30/08</b>			
293	Complete Rough Excavation	1 day	Tue 1/15/08	Tue 1/15/08			
294	Complete Survey of Rough Excavation	15 days	Wed 1/16/08	Wed 1/30/08	293		
295							
296	<b>Slit Trench Excavation</b>	<b>181 days</b>	<b>Sun 6/1/08</b>	<b>Fri 11/28/08</b>			
297	Initiate Excavation	1 day	Sun 6/1/08	Sun 6/1/08	285		
298	Complete Excavation	180 days	Mon 6/2/08	Fri 11/28/08	297		
299							
300	<b>CAMU Area Groundwater Monitoring</b>	<b>178 days</b>	<b>Thu 9/20/07</b>	<b>Sat 3/15/08</b>			
301	Workplan Approved	1 day	Thu 9/20/07	Thu 9/20/07			
302	Collect Baseline Round Field Samples	18 days	Mon 10/15/07	Thu 11/1/07			
303	Complete Data Analysis	90 days	Fri 11/2/07	Wed 1/30/08	302		
304	Submit Draft Report to NDEP	30 days	Thu 1/31/08	Fri 2/29/08	303		
305	Discuss long term monitoring with NDEP	15 days	Sat 3/1/08	Sat 3/15/08	304		
306							
307	Received NDEP Comments on RTC	1 day	Wed 1/9/08	Wed 1/9/08			
308	Submit Revised Cross Sections	1 day	Fri 2/8/08	Fri 2/8/08			

# BRC ENVIRONMENTAL CLEANUP

ID	Task Name	Duration	Start	Finish	Predecessors	February	
						2/5	2/12
309	Complete Slug Testing To Assess Tracer Test Viability Scope or Work Sent to NDEP for Approval NDEP Approval Received (e-mail) Complete Field Investigation Complete Data Analysis and Recommend Viability of Tracer Tests	39 days	Fri 12/21/07	Mon 1/28/08			
310		1 day	Fri 12/21/07	Fri 12/21/07			
311		1 day	Mon 12/24/07	Mon 12/24/07			
312		6 days	Wed 1/2/08	Mon 1/7/08			
313		21 days	Tue 1/8/08	Mon 1/28/08	313		
315	Discuss well network (including deeper wells) with NDEP	1 day	Thu 1/17/08	Thu 1/17/08			
316							
317	Safety Equipment For NDEP Procurement Requested Equipment Obtained and Received By NDEP	29 days	Fri 9/22/06	Fri 10/20/06			
318		1 day	Fri 9/22/06	Fri 9/22/06			
319		1 day	Fri 10/20/06	Fri 10/20/06			
320	OTHER POTENTIAL ACTIONS (BEYOND SOILS ROD)	663 days	Thu 8/9/07	Mon 6/1/09			
321							
322	Eastside Groundwater RAS Development To Be Determined	1 day	Fri 9/5/08	Fri 9/5/08			
323		1 day	Fri 9/5/08	Fri 9/5/08	142		
324	Investigations of Western Ditch Between CAMU and Lower Ponds To Be Determined	1 day	Mon 6/1/09	Mon 6/1/09			
325		1 day	Mon 6/1/09	Mon 6/1/09			
326	Investigations of North Western Ditch Between CAMU and Lower Ponds To Be Determined	1 day	Mon 6/1/09	Mon 6/1/09			
327		1 day	Mon 6/1/09	Mon 6/1/09			
328	Investigations of BMI Siphon To Be Determined	1 day	Mon 6/1/09	Mon 6/1/09			
329		1 day	Mon 6/1/09	Mon 6/1/09			
330	Non-Intrusive Investigation of Trade Effluent Ponds in Common Areas Being Done As Part of CAMU Area Investigations	1 day	Thu 8/9/07	Thu 8/9/07	279		
331		1 day	Thu 8/9/07	Thu 8/9/07			
332	Non-Intrusive Investigation of Closed BMI Landfills Being Done As Part of CAMU Area Investigations	1 day	Thu 8/9/07	Thu 8/9/07	279		
333		1 day	Thu 8/9/07	Thu 8/9/07			
334	Other Media RAS Development To Be Determined	1 day	Mon 6/1/09	Mon 6/1/09			
335		1 day	Mon 6/1/09	Mon 6/1/09			
336	DATA VALIDATION SUMMARY REPORTS CAMU-Area Data-Sets Set #3 Landfill Monitoring (GW) - FINAL a) Quarter 1 Landfill Monitoring - FINAL b) Quarter 2 Landfill Monitoring - FINAL c) Quarter 3 Landfill Monitoring - FINAL d) Quarter 4 Landfill Monitoring - FINAL	746 days	Wed 2/15/06	Sat 3/1/08			
337		87 days	Tue 6/13/06	Thu 9/7/06			
338		22 days	Wed 6/14/06	Wed 7/5/06			
339		1 day	Wed 7/5/06	Wed 7/5/06			
340		1 day	Wed 6/14/06	Wed 6/14/06			
341		1 day	Wed 6/14/06	Wed 6/14/06			
342		1 day	Wed 6/14/06	Wed 6/14/06			
343		1 day	Wed 6/14/06	Wed 6/14/06			
344		1 day	Wed 6/14/06	Wed 6/14/06			
345							
346							
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353							



# BRC ENVIRONMENTAL CLEANUP

ID	Task Name	Duration	Start	Finish	Predecessors	February	
						2/5	2/12
353	Set #10 Borrow Area Investigation - FINAL	1 day	Tue 6/13/06	Tue 6/13/06			
354	Set #11 Slit Trench Investigation - FINAL	1 day	Tue 6/13/06	Tue 6/13/06			
355	a) May 2000 field event - FINAL	1 day	Tue 6/13/06	Tue 6/13/06			
356	b) July 2000 field event - FINAL	1 day	Tue 6/13/06	Tue 6/13/06			
357	Set #13 CAMU Investigations - FINAL	23 days	Tue 6/13/06	Wed 7/5/06			
358	a) April 2000 field event - FINAL	1 day	Tue 6/13/06	Tue 6/13/06			
359	b) July 2000 field event - FINAL	1 day	Tue 6/13/06	Tue 6/13/06			
360	c) Nov 2000 field event (WDE locs) - FINAL	1 day	Wed 7/5/06	Wed 7/5/06			
361	d) March 2001 field event (follow on WDE) - FINAL	1 day	Tue 6/13/06	Tue 6/13/06			
362	Set #15 Power Pole Excavation Investigation - FINAL	1 day	Fri 9/1/06	Fri 9/1/06			
363	Set #26 Borrow Area Investigation - FINAL	22 days	Tue 8/8/06	Tue 8/29/06			
364	a) Initial Investigation - FINAL	1 day	Tue 8/8/06	Tue 8/8/06			
365	b) Supplemental investigation - FINAL	1 day	Tue 8/29/06	Tue 8/29/06			
366	Set #28 Slit Trench Soil Investigation - FINAL	1 day	Wed 8/16/06	Wed 8/16/06			
367	Set #29 Slit Trench Soil Vapor Investigation - FINAL	1 day	Wed 7/26/06	Wed 7/26/06			
368	Set #30 CAMU Hydro Investigation - FINAL	1 day	Tue 8/29/06	Tue 8/29/06			
369	Set #36 2006 Borrow Area Investigation - FINAL	1 day	Thu 9/7/06	Thu 9/7/06			
370							
371	<b>Eastside Area Data-Sets</b>	378 days	Wed 2/15/06	Tue 2/27/07			
372	Set #1 Environmental Conditions Investigation	1 day	Tue 9/12/06	Tue 9/12/06			
373	a) Upper & Lower Ponds and Ditches - FINAL	1 day	Tue 9/12/06	Tue 9/12/06			
374	Set #4 Preliminary GW Investigation (DM wells) - FINAL	1 day	Tue 12/5/06	Tue 12/5/06			
375	Set #6 1999 Ponds Supplemental Soil Investigations	16 days	Tue 10/10/06	Wed 10/25/06			
376	a) Berm Samples - FINAL	1 day	Wed 10/25/06	Wed 10/25/06			
377	b) At-Depth Samples (to 15 ft bgs) - FINAL	1 day	Wed 10/25/06	Wed 10/25/06			
378	c) New SRC sampling - FINAL	1 day	Tue 10/10/06	Tue 10/10/06			
379	d) Miscellaneous (At-Depth Samples, expanded rads & pesticides, addit. SF	1 day	Tue 10/10/06	Tue 10/10/06			
380	Set #7 Upper & Lower Ponds IRM Sampling	52 days	Wed 9/13/06	Fri 11/3/06			
381	a) Mohawk - FINAL	1 day	Tue 10/17/06	Tue 10/17/06			
382	b) Sunset - FINAL	1 day	Wed 9/13/06	Wed 9/13/06			
383	c) Sunset pit sampling for asbestos - FINAL	1 day	Thu 10/26/06	Thu 10/26/06			
384	d) Blackened soil area - FINAL	1 day	Thu 9/14/06	Thu 9/14/06			
385	e) PLF-05 fill sampling - FINAL	1 day	Fri 11/3/06	Fri 11/3/06			
386	Set #8 ERM Ponds Supplemental Investigation	43 days	Thu 9/14/06	Thu 10/26/06			
387	a) Discrete/composite sampling event - FINAL	1 day	Tue 10/10/06	Tue 10/10/06			
388	b) Sunset North Area - FINAL	1 day	Thu 10/26/06	Thu 10/26/06			
389	c) Sunset North Area - October PR samples - FINAL	1 day	Fri 11/3/06	Fri 11/3/06			
390	Set #9 TIMET Ponds Investigation - FINAL	1 day	Wed 10/25/06	Wed 10/25/06			
391	Set #12 Spray Wheel Investigation - FINAL	1 day	Wed 11/8/06	Wed 11/8/06			
392	Set #14 "College Site" Investigation - FINAL	1 day	Thu 8/31/06	Thu 8/31/06			
393	Set #16 Tuscany Hills Pipeline Vault Investigation - FINAL	1 day	Mon 5/1/06	Mon 5/1/06			
394	Set #18 WRF Investigation By CoH - FINAL	1 day	Fri 12/8/06	Fri 12/8/06			
395	Set #19 Mohawk Supplemental Investigation (PR samples) - FINAL	1 day	Fri 12/8/06	Fri 12/8/06			
396	Set #20 Sunset North Investigations	131 days	Fri 10/20/06	Tue 2/27/07			

# BRC ENVIRONMENTAL CLEANUP

ID	Task Name	Duration	Start	Finish	Predecessors	February	
						2/5	2/12
397	a) PLG-05 GW Characterization - FINAL	1 day	Fri 1/5/07	Fri 1/5/07			
398	b) Sampling of "unimpacted" areas - FINAL	1 day	Fri 10/20/06	Fri 10/20/06			
399	c) Supp. Invest. (PR samples) - FINAL	1 day	Tue 2/27/07	Tue 2/27/07			
400	Set #21 Southern RIBs Investigation - FINAL	1 day	Wed 10/25/06	Wed 10/25/06			
401	Set #22 Pre-GW Policy Upper Ponds GW Investigation - FINAL	1 day	Tue 9/26/06	Tue 9/26/06			
402	Set #23 Spray Wheel Investigation [M] - Geotechnical Only. No DVSR	1 day	Wed 2/15/06	Wed 2/15/06			
403	Set #25 Pittman Lateral Bypass Pipeline Investigation - FINAL	1 day	Wed 10/25/06	Wed 10/25/06			
404	Set #27 2004 Eastside Hydro Investigation (Revised) - FINAL	1 day	Thu 8/31/06	Thu 8/31/06			
405	Set #32 Alpha Ditch Investigation - FINAL	1 day	Tue 9/26/06	Tue 9/26/06			
406	Set #33 Spray Wheel Salt Investigation - FINAL	1 day	Tue 9/26/06	Tue 9/26/06			
407	Set #37 First Quarterly GW Monitoring - FINAL	1 day	Tue 1/2/07	Tue 1/2/07			
408	Set #38 Second Quarterly GW Monitoring - FINAL	1 day	Tue 1/2/07	Tue 1/2/07			
409	Set #39 Waste Sampling - FINAL	1 day	Fri 11/3/06	Fri 11/3/06			
410							
411							
412	<b>Other Current/Old Data Sets</b>	<b>456 days</b>	<b>Mon 4/3/06</b>	<b>Mon 7/2/07</b>			
413	Set #1 Environmental Conditions Investigation	<b>17 days</b>	<b>Tue 10/10/06</b>	<b>Thu 10/26/06</b>			
414	b) Exclusion Areas - FINAL	1 day	Tue 10/10/06	Tue 10/10/06			
415	c) Parcel 5/6 confirmation sampling - FINAL	1 day	Thu 10/26/06	Thu 10/26/06			
416	Set #2 Warm Springs Rd Investigation - FINAL	1 day	Wed 10/25/06	Wed 10/25/06			
417	Set #5 Pittman Lateral GW Monitoring	<b>10 days</b>	<b>Wed 11/29/06</b>	<b>Fri 12/8/06</b>			
418	a) Initial Monitoring Event - FINAL	1 day	Wed 11/29/06	Wed 11/29/06			
419	b) Follow-Up Monitoring Event - FINAL	1 day	Fri 12/8/06	Fri 12/8/06			
420	Set #17 Conveyor Alignment Investigation - FINAL	1 day	Thu 11/2/06	Thu 11/2/06			
421	Set #24 Environ Background Investigation (By NDEP) - FINAL	1 day	Mon 5/1/06	Mon 5/1/06			
422	Set #31 TRECO Investigation - FINAL	1 day	Mon 4/3/06	Mon 4/3/06			
423	Set #34 BRC/TIMET Shallow Soil Background Investigation - FINAL	1 day	Mon 7/2/07	Mon 7/2/07			
424	Set #40 OffSite Dust Sampling - FINAL	1 day	Mon 11/20/06	Mon 11/20/06			
425							
426							
427	<b>New Data Sets (Others, as generated)</b>	<b>419 days</b>	<b>Mon 1/8/07</b>	<b>Sat 3/1/08</b>			
428	Set #41 Slit Trench Step-Out Sampling - FINAL	1 day	Mon 1/8/07	Mon 1/8/07			
429	Set #42 Third Quarterly GW Monitoring - FINAL	1 day	Wed 4/25/07	Wed 4/25/07			
430	Set #43 Parcel 4A-4B - FINAL	1 day	Tue 8/21/07	Tue 8/21/07			
431	Set #44 Fourth Quarterly GW Monitoring - FINAL	1 day	Tue 7/10/07	Tue 7/10/07			
432	Set #45 Orphan and Accumulated Small Data Sets - FINAL	1 day	Mon 10/22/07	Mon 10/22/07			
433	Set #46 North-East Area Well Boring Soils - FINAL	1 day	Thu 12/6/07	Thu 12/6/07			
434	Set #47 Upgradient Qa Groundwater and Soils Along Borings	<b>13 days</b>	<b>Thu 1/3/08</b>	<b>Tue 1/15/08</b>			
435	E-mail comment received from NDEP	1 day	Thu 1/3/08	Thu 1/3/08			
436	Expected Clarification Submittal Date to NDEP	1 day	Tue 1/15/08	Tue 1/15/08			
437	Set #48 Deep Background Soils	<b>1 day</b>	<b>Sat 3/1/08</b>	<b>Sat 3/1/08</b>			
438	Expected Submittal Date to NDEP	1 day	Sat 3/1/08	Sat 3/1/08			

## **15.0            *General Summary of CIP References***

The following laws, regulations, agreements, guidance's and other documents were consulted in preparing this Community Involvement Plan:

### Nevada Consent Agreements

NDEP, Settlement Agreement and Administrative Order on Consent (AOC3),  
(February 15, 2006)

### Federal Statutes

Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C.  
§§ 9601 to 9675 (2004)

Solid Waste Disposal Act, 42 U.S.C. §§ 6901 to 6992k (2004)

### Federal Regulations

40 C.F.R. Part 25, Public Participation Programs in Programs Under the Resource  
Conservation and Recovery Act, the Safe Drinking Water Act, and the Clean Water  
Act

40 C.F.R. Part 124, Procedures for Decision making

40 C.F.R. Part 300, National Oil and Hazardous Substances Pollution Contingency Plan

### Nevada Statutes

NEV. REV. STAT. ch. 40, Actions and Proceedings in Particular Cases Concerning  
Property

NEV. REV. STAT. ch. 111, Estates in Property, Conveyancing and Recording

NEV. REV. STAT. ch. 113, Sales of Real Property

NEV. REV. STAT. ch. 116, Common-Interest Ownership (Uniform Act)

NEV. REV. STAT. ch. 119, Sales of Subdivided Land: Licensing and Regulation

NEV. REV. STAT. ch. 278, Planning and Zoning

NEV. REV. STAT. ch. 278A, Planned Development

NEV. REV. STAT. ch. 279, Redevelopment of Communities

NEV. REV. STAT. ch. 444, Sanitation

NEV. REV. STAT. ch. 445A, Water Controls

### Nevada Regulations

NEV. ADMIN. CODE § 113, Sales of Real Property  
NEV. ADMIN. CODE § 116, Management of Common-Interest Community  
NEV. ADMIN. CODE § 119, Sale of Subdivided Land: Licensing and Regulation  
NEV. ADMIN. CODE § 278, Planning and Zoning  
NEV. ADMIN. CODE § 444, Sanitation  
NEV. ADMIN. CODE § 459, Hazardous Materials

### Federal Guidance Documents

USEPA, OSWER, RCRA Public Participation Manual, at <http://www.epa.gov/epaoswer/hazwaste/permit/pubpart/manual.htm> (1996)  
USEPA, OSWER, Superfund Community Involvement Toolkit, EPA 540-K-01-004, at <http://www.epa.gov/superfund/tools/index.htm> (July 2003)  
USEPA, OSWER, Reusing Superfund Sites, EPA 540-K-00-004 (Oct. 2003)  
USEPA, OSWER, Superfund Community Involvement Handbook, EPA 540-K-01-003 (Apr. 2002).  
USEPA, OSWER, Community Advisory Group Toolkit for the Community, EPA 540-R-97-037 (Sept. 1998).  
USEPA, OSWER, Superfund Community Involvement Toolkit, EPA 540-K-01-004 (Sept. 2002).  
USEPA, Guidance for Community Advisory Groups at Superfund Sites, OSWER Directive 9230.0.28, EPA 540-K-96-001 (Dec. 1995).  
USEPA, Risk Assessment Guidance for Superfund: Volume 1 – Human Health Evaluation Manual Supplement to Part A: Community Involvement in Superfund Risk Assessments, OSWER Directive 9285.7-01E-P, EPA 540-R-98-042 (Mar. 1999).  
USEPA, Comprehensive Five-Year Review Guidance, OSWER Directive No. 9355.7-03B-P, EPA 540-R-01-007 (June 2001).  
USEPA, Early and Meaningful Community Involvement, OSWER Directive No. 9230.0-99 (Oct. 12, 2001).  
EPA, Institutional Controls: A Site Manager's Guide to Identifying, Evaluating, and Selecting Institutional Controls at Superfund and RCRA Corrective Action Cleanups, September 2000, OSWER Directive No. 9355.0-74FS-P, EPA 540-F-00-005 (Sept. 2000).  
USEPA, DRAFT Institutional Controls: A Guide to Implementing, Monitoring, and Enforcing Institutional Controls at Superfund, Brownfields, Federal Facility, UST and

- RCRA Corrective Action Cleanups, at <http://www.epa.gov/superfund/action/ic/guide> (Feb. 2003).
- USEPA, Role of Community Interviews in the Development of a Community Relations Program for Remedial Response, OSWER Directive No. 9230.0-15 (June 15, 1990).
- USEPA, Minimizing Problems Caused by Staff Turnover, OSWER Directive No. 9230.0-13 (Dec. 19, 1990).
- USEPA, Planning for Sufficient Community Relations, OSWER Directive No. 9230.0-08 (Mar. 7, 1990).
- USEPA, Making Superfund Documents Available to the Public Throughout the Cleanup Process, and Discussing Findings and Decisions as They are Developed, OSWER Directive No. 9230.0-16 (Nov. 5, 1990).
- USEPA, Innovative Methods to Increase Public Involvement in Superfund Community Relations, OSWER Directive No. 9230.0-20 (Nov. 30, 1990).
- USEPA, Incorporating Citizen Concerns into Superfund Decision-Making, OSWER Directive No. 9230.0-18 (Jan. 21, 1991).
- USEPA, Using State and Local Officials to Assist in Community Relations, OSWER Directive No. 9230.0-17 (Sep. 28, 1990).

Other Materials:

- CERCLA Institutional Controls and the Role of Local Government, Richard G. Oppen, BNA Environmental Reports, Dec. 2004.
- Environmental Transactions and Brownfield Committee Newsletter, American Bar Association, December 2004.
- Implementing Institutional Control at Brownfields and Other Contaminated Sites, Amy L. Edwards, editor, American Bar Association 2003.
- Uniform Environmental Covenants Act*, drafted by the Conference of Commissioners on Uniform State Laws (August 2003).
- Todd S. Davis, *Brownfields: A Comprehensive Guide to Redeveloping Contaminated Property* (2d ed. 2002).
- The Sleeping Giant Awakes: The Growing Public Debate about Institutional Controls, Amy L. Edwards, American Bar Association, Section of Environment, Energy and Resources (January 2000).